City of Atwater

Bert Crane Wastewater Treatment Plant Discharge Improvements Project

INITIAL STUDY

December 2025

Prepared for

City of Atwater
1350 Broadway
Atwater, CA 95301

Table of Contents

Figures

Tables

1 INTRODUCTION

Precision Civil Engineering, Inc. (PCE) has prepared this Initial Study/ Mitigated Negative Declaration (IS/MND) on behalf of the City of Atwater (City) to address the environmental effects of the proposed Bert Crane Wastewater Treatment Plant Discharge Improvements (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code *Section 21000 et. seq*. The City of Atwater is the Lead Agency for this proposed Project. The site and the proposed Project are described in detail in SECTION 2 ENVIRONMENTAL CHECKLIST FORM.

1.1 Regulatory Information

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, et seq.), also known as the CEQA Guidelines, *Section 15064 (a)(1)* states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels.

A negative declaration (ND) may be prepared instead if the lead agency finds that there is no substantial evidence in light of the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why a proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines *Section 15070*, a ND or mitigated ND shall be prepared for a project subject to CEQA when either:

a. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed Project may have a significant effect on the environment, or

b. The IS identified potentially significant effects, but:

> *1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed Mitigated Negative Declaration and Initial Study is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and*
>
> *2. There is no substantial evidence, in light of the whole record before the agency, that the proposed Project as revised may have a significant effect on the environment.*

1.2 Document Format

This IS/MND contains five (5) chapters plus appendices. SECTION 1 INTRODUCTION provides bases of the IS/ND's regulatory information and an overview of the Project. SECTION 2 ENVIRONMENTAL CHECKLIST FORM provides a detailed description of Project components. SECTION 3 DETERMINATION concludes that the Initial Study is a negative declaration, identifies the environmental factors potentially affected based on the analyses contained in this IS, and includes with the Lead Agency's determination based upon those analyses. SECTION 4 EVALUATION OF ENVIRONMENTAL IMPACTS presents the CEQA checklist and environmental analyses for all impact areas and the mandatory findings of significance. A brief discussion of the reasons why the Project impact is anticipated to be potentially significant, less than significant with mitigation incorporated, less than significant, or why no impacts are expected is included. SECTION 5 MITIGATION MONITORING AND REPORTING PROGRAM presents the mitigation

measures recommended in the IS/MND for the Project. The CalEEMod Results, CNDDB Occurrence Report, CHRIS Search Record, and NAHC SLF Results Letter are provided as Appendix A, Appendix B, Appendix C, and Appendix D respectively, at the end of this document.

2 ENVIRONMENTAL CHECKLIST FORM

This section describes the components of the proposed Project in more detail, including project location, project objectives, and required project approvals.

2.1 Project Title

Bert Crane Wastewater Treatment Plant Discharge Improvements

2.2 Lead Agency Name and Address

City of Atwater
1350 Broadway
Atwater, CA 95301

2.3 Contact Person and Phone Number

Lead Agency Contact
City of Atwater
Chris Hoem, City Manager
(209) 357-6300
choem@atwater.org

Applicant Information
City of Atwater
1350 Broadway
Atwater, CA 95301

2.4 Study Prepared By

Precision Civil Engineering
1234 O Street
Fresno, CA 93721
(559) 449-4500

2.5 Project Location

The Project site in the jurisdiction of the City of Atwater (portion) and County of Merced (portion), California. The Project site is generally located north of Bear Creek, south of Applegate Road, and east of South Bert Crane Road, in Atwater, CA 95301, as shown in Figure 2-1. The Project site includes portions of six (6) parcels, totaling approximately 7.67 acres, and identified by the Merced County Assessor as Assessor's Parcel Numbers (APNs) 056-200-026, 056-200-011, 056-200-021, 056-200-024, 065-020-012, and 056-200-002. The site also includes approximately 3,390 feet of South Bert Crane Road right-of-way (ROW). Figure 2-2 shows the aerial image of the Project site. The Project site is a portion of Section 35, Township 7 South, Range 12 East, and a portion of Section 02, Township 8 South, Range 12 East, Mount Diablo Base and Meridian.

2.6 Latitude and Longitude

The centroid of the Project Area is 37.2730714, -120.6243030.

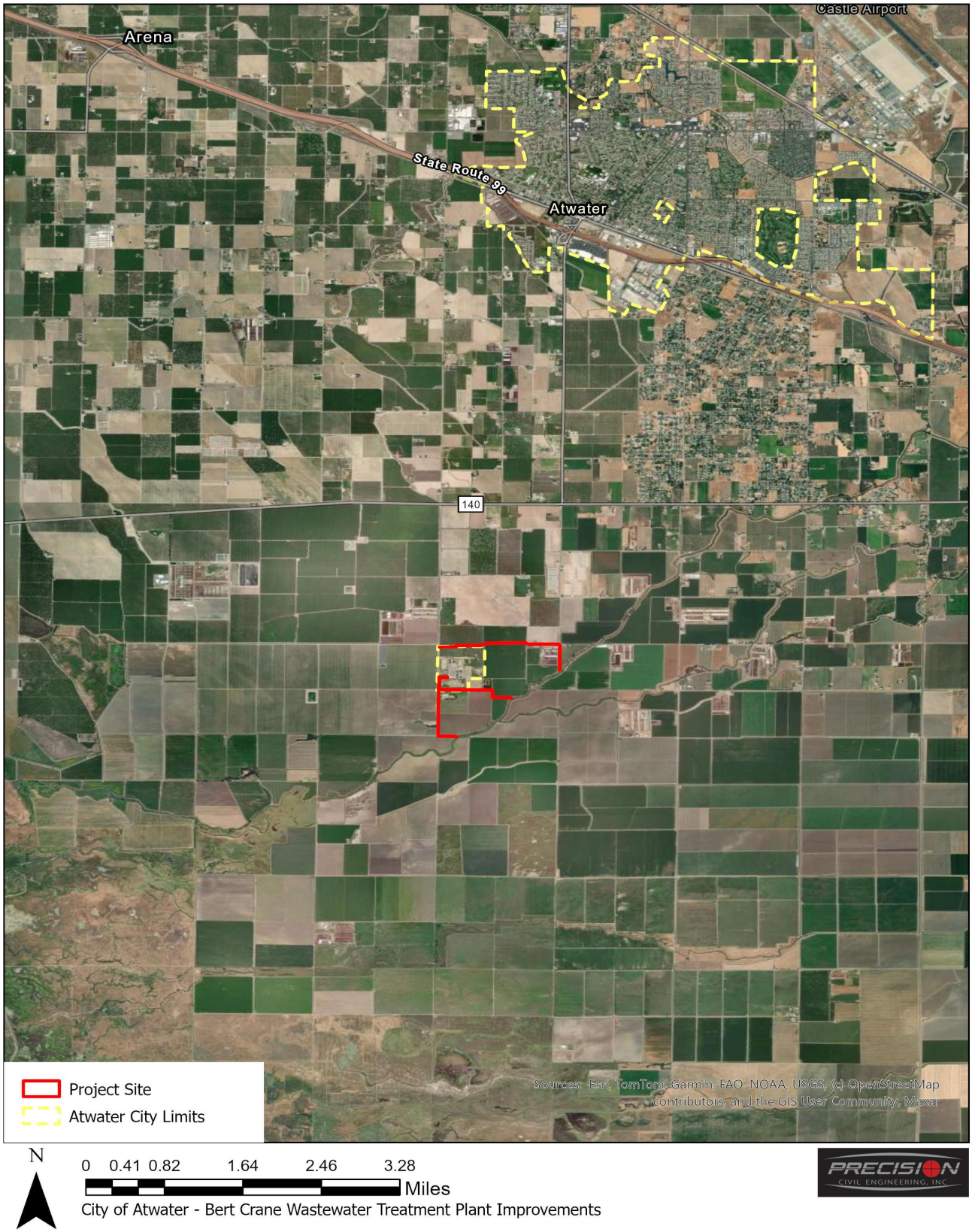


Figure 2-1 Project Location

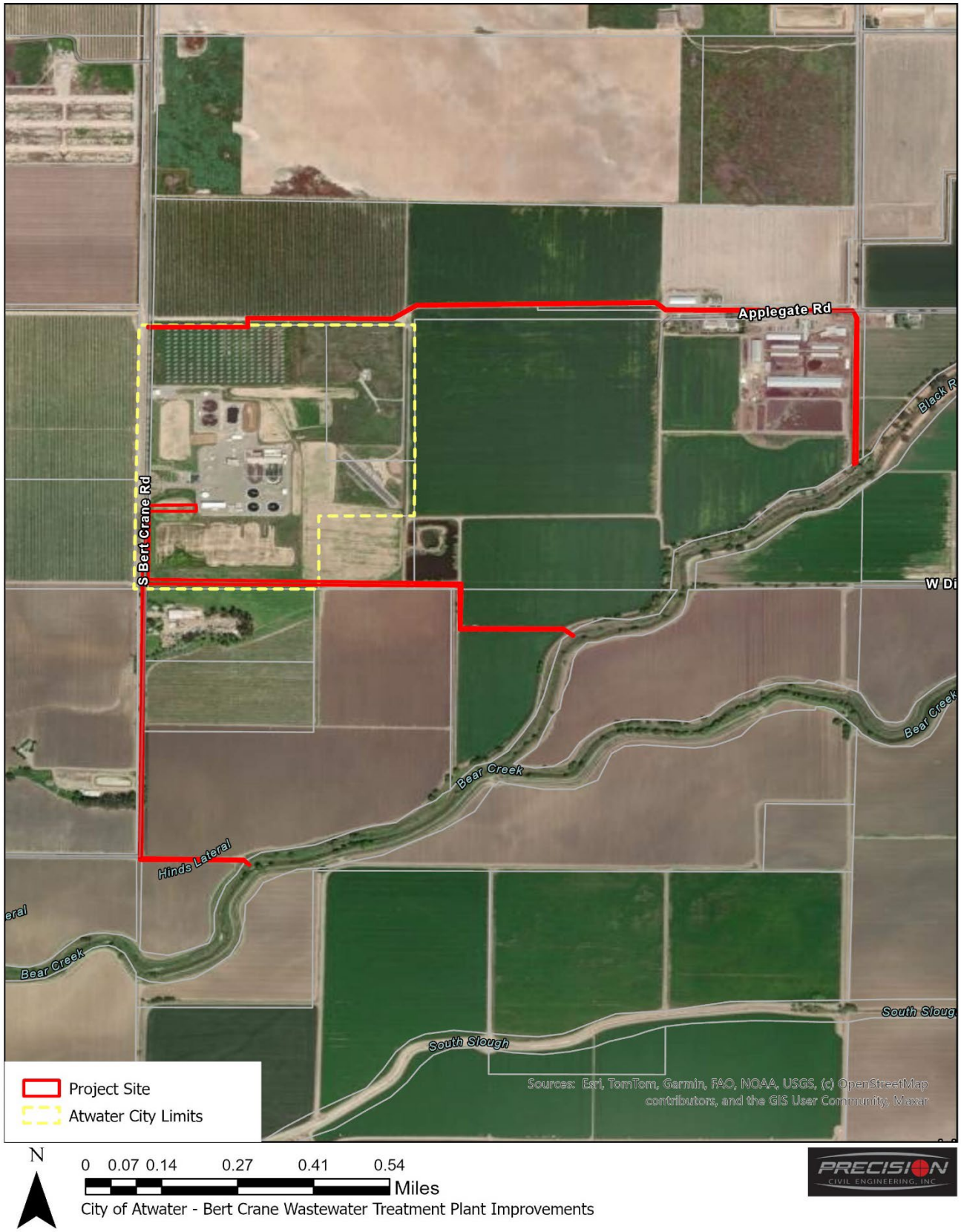


Figure 2-2 Project site Aerial Image

2.7 General Plan Designation

A portion of the Project site (APNs 056-200-025 and 056-200-026), located within the City of Atwater, has an "unclassified" General Plan land use designation, meaning there is no specific land use has been assigned. The rest of the site is within the jurisdiction of Merced County and has a land use designation of Agricultural (Figure 2-3).

2.8 Zoning

A portion of the Project site (APNs 056-200-025 and 056-200-026), located within the City of Atwater, is not zoned. The rest of the site is within the jurisdiction of Merced County and is zoned A-1 General Agricultural (Figure 2-4).

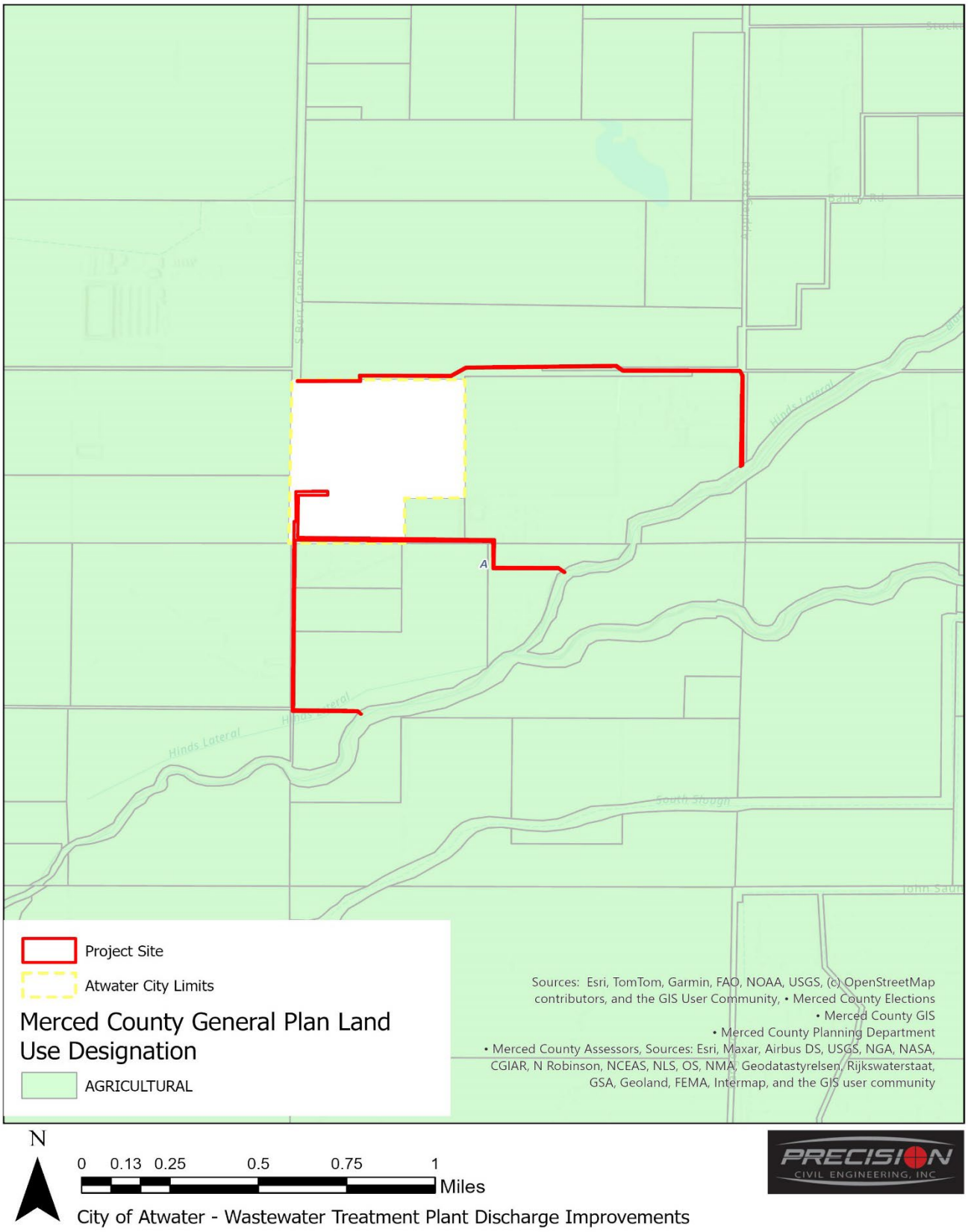


Figure 2-3 General Plan Land Use Designation (Existing)

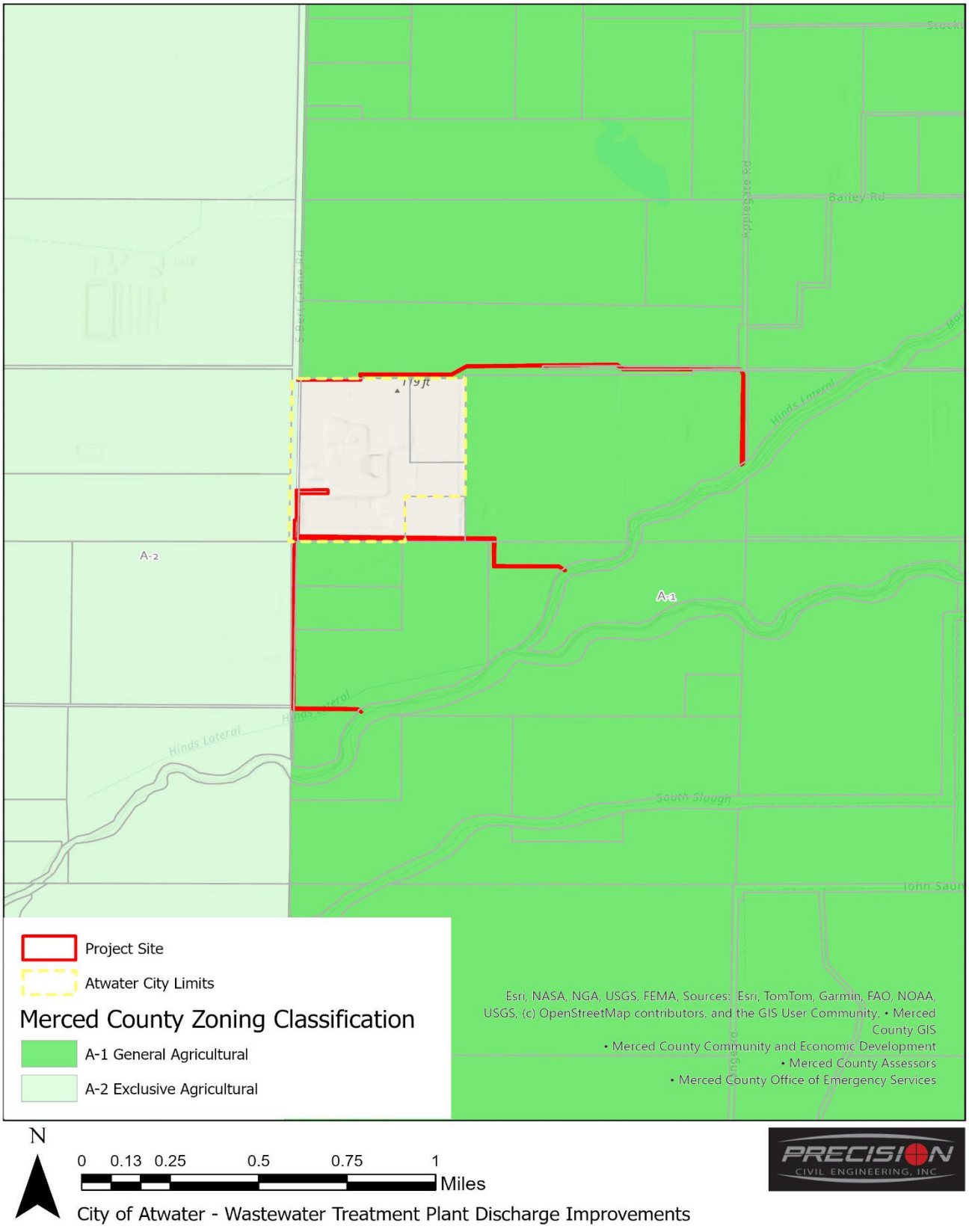


Figure 2-4 Zoning District (Existing)

2.9 Description of Project

The City of Atwater owns and operates the Bert Crane Regional Wastewater Treatment Plant (WWTP), located on the southeast corner of South Bert Crane Road and Oak Avenue Alignment (APN 056-200-026), which provides tertiary-level treatment for wastewater. Treated effluent from the WWTP is currently released via an effluent pump station and a 42-inch force main into the Atwater/Peck Drain, which flows through Joseph Gallo Farms (Gallo Ranch), where a significant portion is diverted for agricultural and wetland use.

In order to meet Sustainable Groundwater Management Act (SGMA) groundwater recharge requirements, the City of Atwater intends to construct improvements to discharge its treated effluent to the Merced Irrigation District (MID) via Black Rascal Creek or Bear Creek. These improvements would connect into the existing force main with a tee fitting and automatic actuated butterfly valves integrated into the City's SCADA system. The improvements would allow the City to redirect effluent flows to the Gallo Ranch, the creeks, or both.

A Discharge Study was prepared to evaluate three (3) alternatives for future improvements for discharge into either Black Rascal Creek or Bear Creek: Alternative 1 – Bert Crane Road Alignment, Alternative 2 – South WWTP Alignment, and Alternative 3 – Deckert Lateral Alignment (Figure 2-5).

All three (3) alternatives shared common infrastructure improvement recommendations, such as connecting to the existing force main from the WWTP, construction of a new pump station, and construction of an outfall structure. The following summarizes the recommended improvements that are applicable to each alternative:

- Installation of a 42-inch x 42-inch x 18-inch tee
- Installation of a 42-inch automatic actuated butterfly valve
- Installation of an 18-inch automatic actuated butterfly valve
- Installation of an air relief valve
- Installation of an 18-inch magnetic flow meter
- Construction of a pump station
- Installation of power source and connection to City SCADA system
- Construction of an outfall structure equipped with a flap valve.

The alternative specific improvements are as follows:

- Alternative 1 would include construction of 4,400 linear feet of 18-inch pipeline, traffic control, and flow diversion and dewatering. A new outfall structure into Bear Creek would be constructed.
- Alternative 2 would include construction of 4,300 linear feet of 18-inch pipeline and flow diversion and dewatering. A new outfall structure into Black Rascal Creek would be constructed
- Alternative 3 would include connection to the existing Deckert Lateral culvert, construction of 5,400 linear feet of 18-inch pipeline, increases to MIDs Deckert Lateral capacity, replacing the existing MID outfall structure to Black Rascal Creek, and traffic control.

This Initial Study evaluates the potential environmental impacts of all three (3) proposed alternatives—Alternative 1 (Bert Crane Road Alignment), Alternative 2 (South WWTP Alignment), and Alternative 3 (Deckert Lateral Alignment).

2.10 Project Setting and Surrounding Land Uses

Project Setting

The Project site for the pump station, which is proposed along the eastern boundary (Alternatives 1 and 2) or northern boundary (Alternative 3) of the Bert Crane Regional Wastewater Treatment Plant (WWTP) parcel (APN 056-200-026), is currently vacant with no improvements or structures. The Project site for underground pipelines includes dirt roads between agricultural operations and South Bert Crane Road, a paved two (2)-lane roadway with no improvements (i.e., curb, gutter, sidewalks). An aerial image of the Project site is shown in Figure 2-2. The site is generally flat and does not contain any geologic formations. The existing biotic conditions and resources of the pump station site can be defined primarily as ruderal and herbaceous vegetation with heavy alternation due to discing and grading. There are trees along South Bert Crane Road and Oak Avenue Alignment. Water features include Bear Creek, Black Rascal Creek, and Deckert Lateral, where outfall structures are proposed.

Surrounding Land Uses

The Project site is generally surrounded by agricultural uses. As referenced in Table 2-1, the surrounding properties are all planned and zoned for agricultural use within the County of Merced.

Table 2-1 Existing Uses, General Plan Designations, and Zone Districts of Surrounding Properties

Direction from the Project Site	Existing Land Use	Planned Land Use	Zone District
North	Agricultural	Agricultural	A-1 General Agricultural
South	Agricultural	Agricultural	A-1 General Agricultural
East	Agricultural	Agricultural	A-1 General Agricultural
West	Agricultural	Agricultural	A-2 Exclusive Agricultural

2.11 Site Preparation

Site preparation would include typical vegetation removal and grading activity for the excavation and trenching necessary to install the underground pipeline, pump station, and associated improvements. There are no existing improvements or structures on the site, so there would be no demolition required

2.12 Other Public Agencies Whose Approval is Required

The Project would require approval by the City of Atwater City Council. The Project is also expected to require:

- Lake and Streambed Alteration (LSA) permit from California Department of Fish and Wildlife
- Clean Water Act Section 404 Permit and 401 Water Quality Certification from the CA State Water Resources Control Board
- Stormwater Pollution Prevention Plan
- Encroachment permit from Merced County
- Encroachment permit from Merced Irrigation District
- Encroachment permit from the Central Valley Flood Protection Board

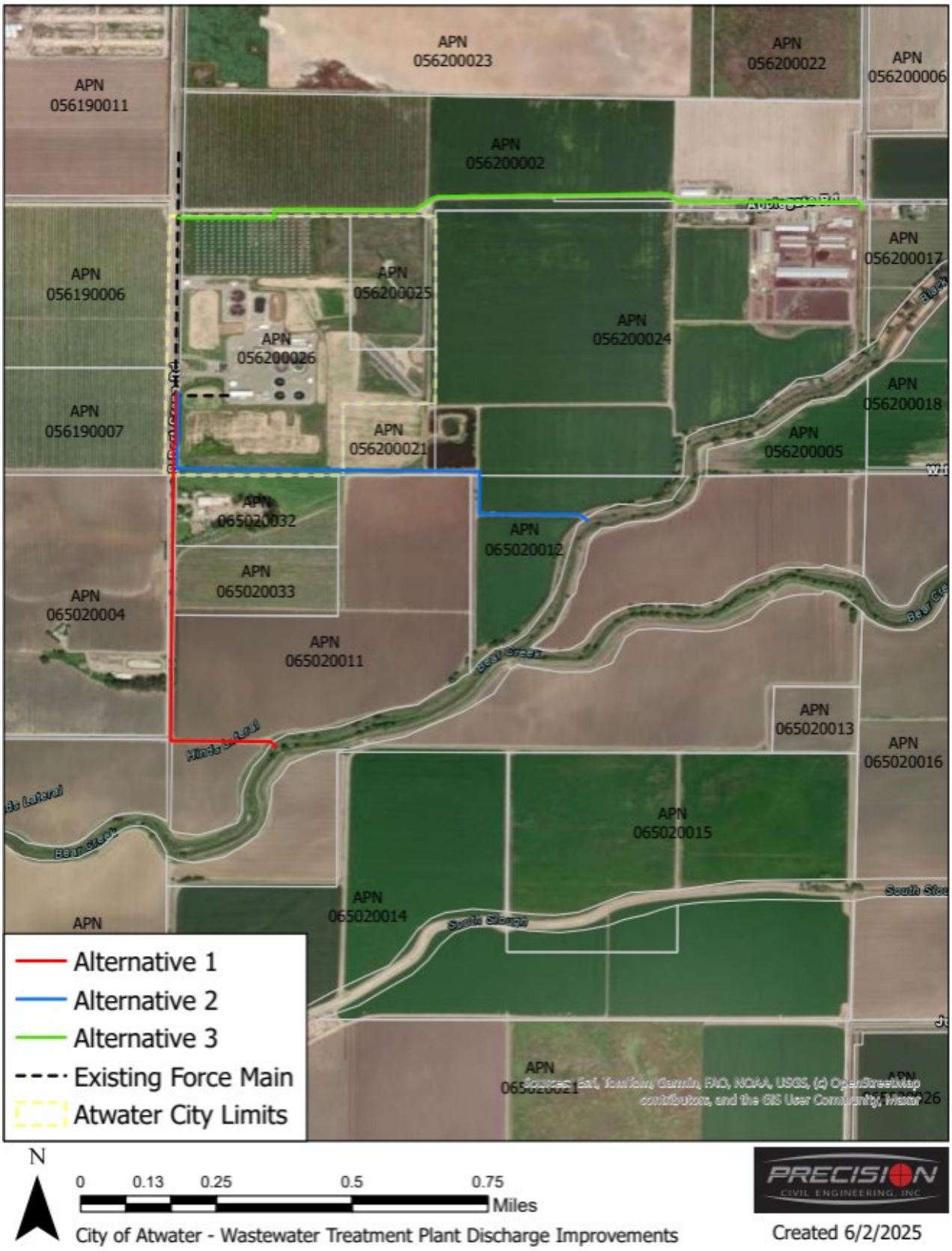


Figure 2-5 Proposed Alternative Alignments

2.13 Consultation with California Native American Tribes

The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the CEQA Guidelines. Pursuant to PRC *Section 21080.3.1*, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC *Section 21074(a)(1-2)*). According to the most recent census data, California is home to 109 currently recognized Indian tribes.

Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC *Section 21083.3.2*.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC *Section 21082.3(c)* contains provisions specific to confidentiality.

A consultation list of tribes with traditional lands or cultural places located within Merced County was requested and received from the California Native American Heritage Commission (NAHC) on May 12, 2025. The listed tribes include Amah Mutsun Tribal Band, Northern Valley Yokut / Ohlone Tribe, Southern Sierra Miwuk Nation, Tule River Indian Tribe, and Wuksachi Indian Tribe/Eshom Valley Band. The NAHC also conducted a Sacred Lands File (SFL) search which was negative.

The City of Atwater conducted formal tribal consultation pursuant to AB 52 (Chapter 532, Statutes 2014) on June 2, 2025, to the aforementioned tribes. Consultation for AB 52 ended on July 2, 2025. No responses were received.

3 DETERMINATION

3.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- ☐ Aesthetics
- ☐ Agriculture and Forestry Resources
- ☐ Air Quality
- ☒ Biological Resources
- ☒ Cultural Resources
- ☐ Energy
- ☒ Geology and Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards and Hazardous Materials
- ☒ Hydrology and Water Quality
- ☐ Land Use Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population and Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation
- ☐ Tribal and Cultural Resources
- ☐ Utilities and Service Systems
- ☐ Wildfire

For purposes of this Initial Study, the following answers have the corresponding meanings:

"No Impact" means the specific impact category does not apply to the project, or that the record sufficiently demonstrates that project specific factors or general standards applicable to the project will result in no impact for the threshold under consideration.

"Less Than Significant Impact" means there is an impact related to the threshold under consideration, but that impact is less than significant.

"Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration, however, with the mitigation incorporated into the project, the impact is less than significant. For purposes of this Initial Study "mitigation incorporated into the project" means mitigation originally described in the GP PEIR and applied to an individual project, as well as mitigation developed specifically for an individual project.

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant related to the threshold under consideration.

3.2 Determination

On the basis of this initial evaluation (to be completed by the Lead Agency):

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Approved By:

Chris Hoem, City Manager Date
City of Atwater

4 EVALUATION OF ENVIRONMENTAL IMPACTS

4.1 AESTHETICS

Except as provided in Public Resources Code Section 21099, **would the project:**		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?				X
b)	Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?				X
c)	In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

4.1.1 Environmental Setting

Generally, aesthetics may include scenic vistas and scenic resources (e.g. trees, rock outcroppings, historic buildings, and highways). The City of Atwater's visual features predominately include urbanized and agricultural land uses. The Atwater General Plan (General Plan) recognizes the city's scenic resources to be "open space areas" (i.e., agricultural lands) in addition to several transportation routes or "scenic corridors". The General Plan does not identify or designate "scenic vistas." The identified scenic corridors include Atwater Boulevard, First Street, Bellevue Road, Shaffer Road, Winton Way, Broadway from Winton Way to First Street, Buhach Road, Third Street, Part of Grove Avenue, and all entrances to the city. A scenic corridor is the view from the road that may include a distant panorama and/or the immediate roadside area. A scenic corridor encompasses the outstanding natural features and landscapes that are considered scenic, including man-made or natural environments.

Although there are two (2) state-designated scenic highways in the County of Merced (SR 152 and Interstate 5), these highways are not within city limits and thus, the City does not designate them as scenic resources. Lastly, the

General Plan identifies places of contemporary historical significance in the city including the Bloss Manson, Bloss Library, and Castle Air Museum.

California Scenic Highway Program

The California Scenic Highway Program was established in 1963 with the purpose of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. There are no officially designated State Scenic Highways within or surrounding the Project site [1]

4.1.2 Impact Assessment

Except as provided in PRC Section 21099, would the project:

a) Have a substantial adverse effect on a scenic vista?

No Impact. The Project site and its surroundings are not part of a scenic corridor, scenic vista, or scenic resource identified in General Plan. Additionally, since the Project site consists of flat agricultural land, there are no viewpoints in the vicinity of the Project site that would provide a view of highly valued, natural or man-made landscape features for the benefit of the general public. Furthermore, the Project proposes the installation of underground pipeline, which would not be visible, and limited above-ground structures (i.e., a pump station), which would not obstruct views due to its small size. As a result, the Project would not adversely affect scenic vistas and no impact would occur.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. According to the California State Scenic Highway Program, there are no officially designated State Scenic Highways within or surrounding the Project site. As such, the proposed Project would not damage scenic resources, including trees, rock out-croppings, and historic buildings within a state scenic highway and no impact would occur as a result of the Project.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less than Significant Impact. The Project is located in a rural, non-urbanized area characterized by flat agricultural land and scattered structures. The Project proposes the installation of underground pipeline, which would not be visible, and limited above-ground structures (i.e., a pump station), which would cause a minor visual change in an area with existing structures, fences, and utility poles due to its small size. As such, less than significant impact would occur because of the Project.

[1] Caltrans. California State Scenic Highway System Map. Accessed on September 10, 2025 https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact. Generally, lighting impacts are associated with artificial lighting in evening hours either through interior lighting from windows or exterior lighting (e.g., street lighting, parking lot lighting, landscape lighting, cars, and trucks). While the undergrounded pipelines will not produce light or glare, the pump station will install minimal lighting for safety and security. However, the proposed pump station are located within Atwater city limits, therefore, lighting design would be required to comply with the Atwater Municipal Code (AMC), which contains specific, enforceable requirements and/or restrictions intended to prevent light and glare impacts (pursuant to *Section 8.32.030*, the City does not allow lights, lighted signs, or other devices that direct or reflect glare onto public right-of-way or neighboring properties). The lighting design guide covers outdoor spaces including regulations for mounted luminaires (i.e., high efficacy, motion sensor control, time clocks, energy management control systems, etc.). As such, conditions imposed on the Project by the City would reduce light and glare impacts. Therefore, the proposed Project would not introduce sources of substantial light or glare which could adversely affect day or nighttime views in the area and a less than significant impact would occur.

4.1.3 Mitigation Measures

None required.

4.2 AGRICULTURE AND FORESTRY RESOURCES

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farm-land), as shown on the maps prepared pursuant to the Farmland Mapping and Monito-ring Program of the California Resources Agency, to non-agricultural use?			X	
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d)	Result in the loss of forest land or conversion of forest land to non-forest use?				X
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

4.2.1 Environmental Setting

The Project site in the jurisdiction of the City of Atwater (portion) and County of Merced (portion), California. A portion of the Project site (APNs 056-200-025 and 056-200-026), located within the City of Atwater, is not zoned. The rest of the site is within the jurisdiction of Merced County and is zoned A-1 General Agricultural.

The Project site for the pump station, which is proposed along the eastern boundary (Alternatives 1 and 2) or northern boundary (Alternative 3) of the Bert Crane Regional Wastewater Treatment Plant (WWTP) parcel (APN 056-200-026), is currently vacant with no improvements or structures. The Project site for underground pipelines includes dirt roads between agricultural operations and South Bert Crane Road, a paved two (2)-lane roadway with no improvements (i.e., curb, gutter, sidewalks). The existing biotic conditions and resources of the pump station site can be defined primarily as ruderal and herbaceous vegetation with heavy alternation due to discing and

grading. There are trees along South Bert Crane Road and Oak Avenue Alignment. Water features include Bear Creek, Black Rascal Creek, and Deckert Lateral, where outfall structures are proposed.

Farmland Monitoring and Mapping Program

The California Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP) that provides maps and data for analyzing land use impacts on farmland. The FMMP produces the Important Farmland Finder as a resource map that shows quality (soils) and land use information. Agricultural land is rated according to soil quality and irrigation status, in addition to many other physical and chemical characteristics. The highest quality land is called "Prime Farmland" which is defined by the FMMP as *"farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.* [2] Maps are updated every two years.

California Land Conservation Act

The California Land Conservation Act of 1965 (i.e., the Williamson Act) allows local governments to enter contracts with private landowners to restrict parcels of land agricultural or open space uses. In return, property tax assessments of the restricted parcels are lower than full market value. The minimum length of a Williamson Act contract is 10 years and automatically renews upon its anniversary date; as such, the contract length is essentially indefinite.

[2] California Department of Conservation. Important Farmland Categories. Accessed on April 21, 2025 https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx

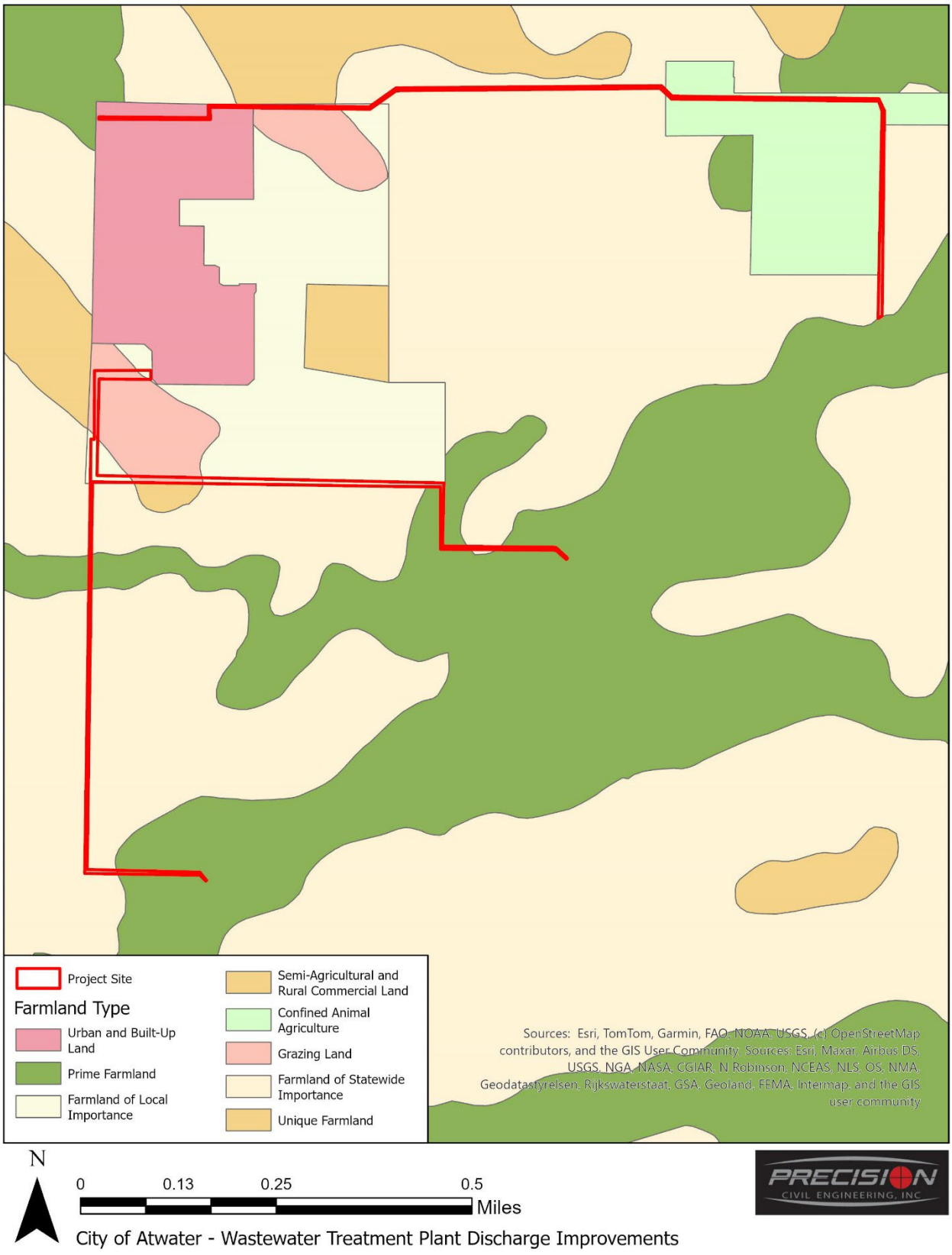


Figure 4-1 Farmland Type

4.2.2 Impact Assessment

Would the project:

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

Less than Significant Impact. According to the FMMP, the Project site includes land that are designated as "Urban and Built-Up Land", "Grazing Land", "Confined Animal Agriculture", "Semi-Agricultural and Rural Commercial Land", "Farmland of Local Importance", "Farmland of Statewide Importance", and "Prime Farmland".[3] Figure 4-1 shows the farmland map of the Project site.

The Project proposes the installation of a pump station and underground pipeline to transport treated effluent from the wastewater treatment plant (WWTP) to either Black Rascal Creek or Bear Creek. As shown in Figure 4-1, Alternatives 1 and 2 propose a pump station on area mapped as "Grazing Land" and Alternative 3 proposes a pump station on area mapped as "Urban and Built-Up Land". Thus, although the proposed pump station would permanently affect the above-ground conditions, it would not convert farmland to non-agricultural use.

The construction of the underground pipelines would involve soil trenching, installation of the pipeline in the trench, and then backfilling soils on top of the pipeline. Backfilling the trenches with the same soils initially removed would generally return the land to pre-project conditions. In addition, the underground pipelines are proposed within existing dirt roadways where agricultural activity does not occur. Because the Project does not involve a change in land use and the majority of the work is temporary and underground, it would not result in the conversion of Farmland to a non-agricultural use. Therefore, impacts would be less than significant.

b) *Conflict* with existing zoning for agricultural use or a Williamson Act contract?

Less than Significant Impact. The Project is considered a public utility and is generally permitted on land zoned for agricultural use according to the Merced County Zoning Ordinance. The construction of an underground pipeline and a small pump station is typically viewed as a compatible use with agricultural zoning. As discussed in criteria a), the Project's purpose is to provide a public service and it will not prevent the land from being used for agricultural purposes after construction is completed. The pipeline is located underground, and the pump station's footprint is not located on farmland, so the land can continue to be farmed.

In addition, the Project is not located on lands under a Willaimson Act contract. Because the Project is a compatible use and will not prevent agricultural use, it will not conflict with zoning or any Williamson Act contract. Therefore, the impact is less than significant.

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

[3] California Department of Conservation. (2022). California Important Farmland Finder. Accessed on April 21, 2025, https://maps.conservation.ca.gov/DLRP/CIFF/

No Impact. The Project site is not planned or zoned for forest land or timberland. Further, the Project would not cause the rezoning of forest land, timberland, or timberland zoned Timberland Production. As a result, the Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production and no impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The Project site does not contain forest land and is not planned or zoned for forest land or forest uses. Development of the Project would therefore not result in the loss of forest land or conversion of forest land to non-forest use. As a result, no impact would occur.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Less than Significant impact. As previously discussed in criteria a) through d), the Project would not involve changes in the existing environment which could lead to conversion of Farmland or forest land to non-agricultural or non-forest use.

4.2.3 Mitigation Measures

None required.

4.3 AIR QUALITY

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?			X	
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c)	Expose sensitive receptors to substantial pollutant concentrations?			X	
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

4.3.1 Environmental Setting

Atwater lies within the central portion of the San Joaquin Valley Air Basin that is bounded by the Sierra Nevada Mountain range to the east, Coastal Ranges to the west, and Tehachapi mountains to the south. The San Joaquin Valley Air Pollution Control District (SJVAPCD) regulates air quality in eight (8) counties including: Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare. The SJVAPCD oversees the SJVAB.

Impacts on air quality result from emissions generated during short-term activities (construction) and long-term activities (operations). Construction-related emissions consist mainly of exhaust emissions (NOx and PM) from construction equipment and other mobile sources, and fugitive dust (PM) emissions from earth moving activities. Operational emissions are source specific and consist of permitted equipment and activities and non-permitted equipment and activities.

Air pollution in the SJVAB can be attributed to both human-related (anthropogenic) and natural (non-anthropogenic) activities that produce emissions. Air pollution from significant anthropogenic activities in the SJVAB includes a variety of industrial-based sources as well as on- and off-road mobile sources. Four main sources of air pollutant emissions in the SJVAB are motor vehicles, industrial plants, agricultural activities, and construction activities. All four (4) of the major pollutant sources affect ambient air quality throughout the SJVAB. These sources, coupled with geographical and meteorological conditions unique to the area, stimulate the formation of unhealthy air. Air pollutants can remain in the atmosphere for long periods and can build to unhealthful levels when stagnant conditions that are common in the San Joaquin Valley occur. Pollutants are transported downwind from urban areas with many emission sources which are also recirculated back to the urban areas.

Further, the SJVAB is in non-attainment for ozone, PM_{10}, and $PM_{2.5}$, which means that certain pollutants' exposure levels are often higher than the normal air quality requirements. Air quality standards have been set to protect

public health, particularly the health of vulnerable people. Therefore, if the concentration of those contaminants exceeds the norm, some susceptible individuals in the population are likely to experience health effects. Concentration of the pollutant in the air, the length of time exposed and the individual's reaction are factors that affect the extent and nature of the health effects.

San Joaquin Valley Air Pollution Control District

The SJVAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions are maintained in the SJVAB, within which the Project is located. Responsibilities of the SJVAPCD include, but are not limited to, preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the FCAA and the CCAA.

The SJVAPCD rules and regulations that may apply to projects that will occur during buildout of the project include but are not limited to the following:

> ***Rule 2010 – Permits Required.*** *The purpose of this rule is to require any person constructing, altering, replacing or operating any source operation which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate. This rule also explains the posting requirements for a Permit to Operate and the illegality of a person willfully altering, defacing, forging, counterfeiting or falsifying any Permit to Operate.*
>
> ***Rule 2201 – New and Modified Stationary Source Review Rule.*** *The purpose of this rule is to provide for the following:*
>
> *The review of new and modified Stationary Sources of air pollution and to provide mechanisms including emission trade-offs by which Authorities to Construct such sources may be granted, without interfering with the attainment or maintenance of Ambient Air Quality Standards; and*
>
> *No net increase in emissions above specified thresholds from new and modified Stationary Sources of all nonattainment pollutants and their precursors.*
>
> ***Rule 4001 – New Source Performance Standards.*** *This rule incorporates the New Source Performance Standards from Part 60, Chapter 1, Title 40, Code of Federal Regulations (CFR).*
>
> ***Rule 4002 – National Emission Standards for Hazardous Air Pollutants.*** *This rule incorporates the National Emission Standards for Hazardous Air Pollutants from Part 61, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR) and the National Emission Standards for Hazardous Air Pollutants for Source Categories from Part 63, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR).*
>
> ***Rule 4102 – Nuisance.*** *The purpose of this rule is to protect the health and safety of the public and applies to any source operation that emits or may emit air contaminants or other materials.*
>
> ***Rule 4601 – Architectural Coatings.*** *The purpose of this rule is to limit VOC emissions from architectural coatings. This rule specifies architectural coatings storage, cleanup, and labeling requirements.*

Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. *The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.*

Regulation VIII – Fugitive PM10 Prohibitions. *The purpose of Regulation VIII (Fugitive PM10 Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM10) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions.*

Rule 9510 – Indirect Source Review. *The purposes of this rule are to:*

1. Fulfill the District's emission reduction commitments in the PM10 and Ozone Attainment Plans.

2. Achieve emission reductions from the construction and use of development projects through design features and on-site measures.

3. Provide a mechanism for reducing emissions from the construction of and use of development projects through off-site measures.

Thresholds of Significance

To assist local jurisdictions in the evaluation of air quality impacts, the SJVAPCD has published the *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI). SJVAPCD recommends a three (3)-tiered approach to air quality analysis based on project size to allow quick screening for CEQA impacts:

1. **Small Project Analysis Level (SPAL):** based on the District's New Source Review, the District pre-quantified emissions and determined values as thresholds of significance for criteria pollutants. Residential, commercial, retail, industrial, educational, and recreational land uses are eligible to use this for screening. The SPAL was published on November 13, 2020, by the SJVAPCD to determine potential impacts in GAMAQI.[4] SPAL is based on a CalEEMod version 2016.3.2.
2. **Cursory Analysis Level (CAL):** CAL is used to determine significance on projects that exceed the SPAL criteria. Analysis includes using CalEEMod to estimate emissions and air pollutants.
3. **Full Analysis Level (FAL):** this level of analysis is usually required for an EIR. It requires a full air quality report that describes impacts on the public.

GAMAQI also includes recommended thresholds of significance to be used for the evaluation of short-term construction, long-term operational, odor, toxic air contaminant, and cumulative air quality impacts. Accordingly, the SJVAPCD-recommended thresholds of significance are used to determine whether implementation of the proposed Project would result in a significant air quality impact. Projects that exceed these recommended thresholds would be considered to have a potentially significant impact on human health and welfare. The thresholds of significance are summarized, as follows:

[4] San Joaquin Valley Air Pollution Control District. (2020). "Small Project Analysis Levels (SPAL)". Accessed on April 25, 2025, https://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI-SPAL.PDF

Criteria Air Pollutants

SJVAPCD adopted thresholds of significance for criteria air pollutants, as shown in Table 4-1. [5] The thresholds of significance are based on a calendar year basis. For construction emissions, the annual emissions are evaluated on a rolling 12-month period. The following summarizes these thresholds:

Short-Term Emissions of Particulate Matter (PM_{10}): Construction impacts associated with the proposed Project would be considered significant if the feasible control measures for construction in compliance with Regulation VIII as listed in the SJVAPCD guidelines are not incorporated or implemented, or if project-generated emissions would exceed 15 tons per year (TPY).

Short-Term Emissions of Ozone Precursors (ROG and NOX): Construction impacts associated with the proposed Project would be considered significant if the project generates emissions of Reactive Organic Gases (ROG) or NO_X that exceeds 10 TPY.

Long-Term Emissions of Particulate Matter (PM_{10}): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of PM_{10} that exceed 15 TPY.

Long-Term Emissions of Ozone Precursors (ROG and NOX): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of ROG or NOX that exceeds 10 TPY.

Table 4-1 SJVAPCD Recommended Air Quality Thresholds of Significance.

Pollutant	Significance Threshold	
	Construction Emissions (tons/year)	Operational Emission (tons/year)
CO	100	100
NO_X	10	10
ROG	10	10
SO_X	27	27
PM_{10}	15	15
$PM_{2.5}$	15	15

Conflict with or Obstruct Implementation of Applicable Air Quality Plan

Air Quality Plans (AQPs) are plans for reaching the attainment of air quality standards. The applicable AQP for the SJVAB is the GAMAQI. Due to the region's nonattainment status for ozone, $PM_{2.5}$, and PM_{10}, if the Project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NO_x) or PM_{10} would exceed the SJVAPCD's significance thresholds, then the Project would be considered to be conflicting with the AQP. In addition, if the Project would result in a change in land use and corresponding increases in vehicle miles traveled, the Project may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans. Vehicle Miles Traveled are analyzed in Section 4.17.

[5] SJVAPCD. (2015). Guidance for Assessing and Mitigating Air Quality Impacts. Accessed on May 30, 2025, https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF

Local Mobile-Source CO Concentrations

Local mobile source impacts associated with the proposed Project would be considered significant if the project contributes to CO concentrations at receptor locations in excess of the CAAQS (i.e., 9.0 ppm for 8 hours or 20 ppm for 1 hour).

Toxic Air Contaminants

Exposure to toxic air contaminants (TAC) would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed 10 in 1 million or would result in a Hazard Index greater than one (1).

As recommended by the SJVAPCD, the latest approved California Air Pollution Control Officer's Association (CAPCOA) methodology was utilized as the TAC screening methodology. According to the CAPCOA Guidance Document titled "Health Risk Assessments for Proposed Land Use Projects," there are two types of land use project that have the potential to cause long-term public health risk impacts. These project types are as follows:

- Type A: Land use projects with toxic emissions that impact receptors, and
- Type B: Land use project that will place receptors in the vicinity of existing toxics sources.

In this Guidance document, Type A projects examples are (project impacts receptors):

- combustion related power plants,
- gasoline dispensing facilities,
- asphalt batch plants,
- warehouse distribution centers,
- quarry operations, and
- other stationary sources that emit toxic substances.

Odor

The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. Specific land uses that are considered sources of undesirable odors include landfills, transfer stations, composting facilities, sewage treatment plants, wastewater pump stations, asphalt batch plants and rendering plants. The SJVAPCD has identified these common types of facilities that have been known to produce odors in the SJVAB and has prepared screening levels for potential odor sources ranging from one to two miles of distance from the odor-producing facility to sensitive receptors. Odor impacts would be considered significant if the project has the potential to frequently expose members of the public to objectionable odors.

Ambient Air Quality

The SJVAPCD applies the following guidance in determining whether an ambient air quality analysis should be performed: when assessing the significance of project-related impacts on air quality, it should be noted that the impacts may be significant when on-site emission increases from construction activities or operational activities exceed the 100 pounds per day screening level of any criteria pollutant after implementation of all enforceable mitigation measures. Under such circumstances, the SJVAPCD recommends that an ambient air quality analysis be performed.

4.3.2 Impact Assessment

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact. The Project would not conflict with the applicable air quality plan if the Project does not exceed the adopted quantitative thresholds for criteria pollutant emissions that are established in the GAMAQI, as demonstrated in the Thresholds of Significance above. As stated above, the SJVAPCD recommends a three (3)-tiered approach to analyze projects for significant impacts on air quality. The following analysis estimates criteria pollutants for construction of Alternative 3, the most intensive proposed alternative with approximately 5,400 linear feet of underground pipeline installation (Alternatives 1 and 2 propose 4,400 and 4,300 linear feet, respectively), using CalEEMod™ (Version 2022.1.1.29) that was modeled on June 9, 2025. Output files are provided in Appendix A.

Construction Emissions

Construction activity associated with the Project includes site preparation, including vegetation removal and grading, followed by trenching/excavation for installation of the proposed pipeline, as well as construction of the proposed pump station and outfall structure. Table 4-2 provides the estimated construction criteria pollutant emissions for the proposed Project. All estimated emissions are below significance thresholds. As a result, it can be anticipated that constructions emissions as a result of implementation of the Project will be less than significant.

Table 4-2 Project Construction Emissions

Emissions Source (Tons per Year)	CO	NO_X	ROG	PM_{10}	$PM_{2.5}$
Construction Year 2026	0.88	0.69	0.08	0.23	0.12
Significance Threshold	100	10	10	15	15
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**

***Source**: CalEEMod, Version 2022.1.1.29, ran on June 9, 2025. See Appendix A.*

Operational Emissions

Pollutants of concern include ROG, NO_x, CO, PM_{10}, and $PM_{2.5}$. Table 4-3 provides the estimated operational criteria pollutant emissions for the proposed Project. As shown, all estimated emissions are below the significance thresholds. Therefore, the operational emissions as a result of the Project would be less than significant.

Table 4-3 Project Operational Emissions

Emissions Source (Tons per Year)	CO	NO_X	ROG	PM_{10}	$PM_{2.5}$
Mobile	0	0	0	0	0
Area	0	0	0	0	0
Energy	0	0	0	0	0
Significance Threshold	100	10	10	15	15
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**

***Source**: CalEEMod, Version 2022.1.1.29, ran on June 9, 2025. See Appendix A.*

Overall, Alternative 3, the most intensive proposed alternative, would not exceed significance thresholds. Therefore, it can be assumed that Alternatives 1 and 2, which are less intensive and would result in fewer emissions,

would also not exceed significance thresholds. Therefore, the proposed Project would be consistent with the applicable air quality plan and no significant impact would occur.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than Significant Impact. The SJVAB is in non-attainment for ozone, PM_{10}, and $PM_{2.5}$, which means that certain pollutants' exposure levels are often higher than the normal air quality requirements. The requirements have been set to protect public health, particularly the health of vulnerable populations. Therefore, if the concentration of those contaminants exceeds the norm, some susceptible individuals in the population are likely to experience health effects. Concentration of the pollutant in the air, the length of time exposed and the individual's reaction are factors that affect the extent and nature of the health effects. As analyzed in criterion a) above, the Project would have a less than significant impact on air quality and are excluded from quantifying criteria pollutant emissions for CEQA purposes. Therefore, the Project would not result in significant cumulative health impacts because the emissions are not at a level that would be considered cumulatively significant. As such, the Project would have a less than significant impact.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The nearest sensitive receptors to the Project site are single-family residences approximately 0.25 miles south of the site (measured from the WWTP entrance to existing structures of the sensitive receptors). As stated under criterion a) above, emissions during construction or operation would not reach the significance thresholds and would not be anticipated to result in concentrations that reach or surpass ambient air quality requirements.

Although emissions would be emitted during construction of the site (i.e., through diesel fuel and exhaust from equipment), emissions would be temporary and last only during construction activities. In addition, construction activities would be required to comply with all rules and regulations administered by the SJVAPCD including, but not limited to, Regulation VIII (Fugitive PM_{10} Prohibitions), Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 4402 (Nuisance), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Therefore, impacts would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact. Specific uses and operations that are considered sources of undesirable odors include landfills, transfer stations, composting facilities, sewage treatment plants, wastewater pump stations, asphalt batch plants and rendering plants. The Project proposes a pipeline that would carry treated effluent from the treatment plant to be discharged via an outfall structure to Black Rascal Creek or Bear Creek. Currently, the treated effluent is carried to the Atwater/Peck Drain where a significant portion is diverted for agricultural and wetland use. The proposed pipeline would be installed below ground and would not create new sources of odor emissions during operation. The treated effluent would daylight at the proposed outfall structure, which is not located near any uses that would be sensitive to potential odors. Additionally, tertiary-level treated effluent is not expected to emit odors. Therefore, a less than significant impact would occur.

4.3.3 Mitigation Measures

None required.

4.4 BIOLOGICAL RESOURCES

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X			
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	X			
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X			
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	X			
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f)	Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.				X

4.4.1 Environmental Setting

The Project site for the pump station, which is proposed along the eastern boundary (Alternatives 1 and 2) or northern boundary (Alternative 3) of the Bert Crane Regional Wastewater Treatment Plant (WWTP) parcel (APN 056-200-026), is currently vacant with no improvements or structures. The Project site for underground pipelines includes dirt roads between agricultural operations and South Bert Crane Road, a paved two (2)-lane roadway with no improvements (i.e., curb, gutter, sidewalks). The site is generally flat and does not contain any geologic formations. The existing biotic conditions and resources of the pump station site can be defined primarily as ruderal and herbaceous vegetation with heavy alternation due to discing and grading. There are trees along South Bert Crane Road and Oak Avenue Alignment.

Existing wastewater management practices have resulted in the periodic flooding of agricultural fields in the WWTP vicinity for land application of treated effluent. Although portions of these disposal areas exhibit seasonal inundation and wildlife use, these features are the result of wastewater management operations rather than naturally occurring hydrologic or biological processes. As such, the existing flooded fields represent an artificial aquatic condition that is not a mapped or regulated wetland and lacks sustained ecological function. These areas support opportunistic wetland vegetation and transient wildlife activity but do not provide the hydrologic permanence, soil conditions, or species assemblages typical of jurisdictional wetlands or sensitive natural communities.

Water features in the vicinity include Bear Creek, Black Rascal Creek, and Deckert Lateral, which are natural or modified waterways that ultimately convey flows to the larger San Joaquin River watershed. Proposed outfall structures would be located along Bear Creek or Black Rascal Creek depending on the selected project alternative. These features support riparian vegetation and intermittent aquatic habitat subject to regulation under the Clean Water Act, Porter-Cologne Water Quality Control Act, and California Fish and Game Code.

U.S. Fish and Wildlife – Special-Status Species Database

The U.S. Fish and Wildlife Service (USFWS) operates an "Information for Planning and Consultation" (IPaC) database, which is a project planning tool for the environmental review process that provides general information on the location of special-status species that are "known" or "expected" to occur (**note:** the database does not provide occurrences; refer to the California Department of Fish and Wildlife – Natural Diversity Database below). [6] Specifically, the IPaC database identifies ten (10) special-status species that are potentially affected by activities in the Project site including: San Joaquin Kit Fox (endangered), Northwestern Pond Turtle (proposed threatened), California Tiger Salamander (threatened), Western spadefoot (proposed threatened), Monarch Butterfly (candidate), Valley Elderberry Longhorn Beetle (threatened), conservancy fairy shrimp (endangered), vernal pool fairy shrimp (threatened), vernal pool tadpole shrimp (endangered), and Colusa grass (threatened).

U.S. Fish and Wildlife – Critical Habitat Report

Once a species is listed under the federal Endangered Species Act, NOAA Fisheries is required to determine whether there are areas that meet the definition of Critical Habitat. Per NOAA Fisheries, Critical Habitat is defined as:

[6] U.S. Fish and Wildlife Service. Information and Planning Consultation Online System. Accessed on May 15, 2025, https://ecos.fws.gov/ipac/

- Specific areas within the geographical area occupied by the species at the time of listing that contain physical or biological features essential to conservation of the species and that may require special management considerations or protection; and
- Specific areas outside the geographical area occupied by the species if the agency determines that the area itself is essential for conservation. [7]

The process of Critical Habitat designation is complex and involves the consideration of scientific data, public and peer review, economic, national security, and other relevant impacts.

According to the Critical Habitat for Threatened & Endangered Species Report updated February 25, 2025, the Project site and its immediate vicinity (0.5-mile radius from the site) are not located within a federally designated Critical Habitat. [8] The closest federally designated Critical Habitat is located approximately 2.9 miles southwest of the Project site designated for conservancy fairy shrimp (Branchinecta conservatio), vernal pool fairy shrimp (Branchinecta lynchi), Colusa grass (Neostapfia colusana), Hoover's spurge (Chamaesyce hooveri), and vernal pool tadpole shrimp (lepidurus packardi).

U.S. Fish & Wildlife Service – National Wetlands Inventory

The USFWS provides a National Wetlands Inventory (NWI) with detailed information on the abundance, characteristics, and distribution of U.S. wetlands. A search of the NWI shows several water features within and adjacent to the Project site (Figure 4-2. [9] The major features within the Project site include Bear Creek, Black Rascal Creek, and the Deckert Lateral, which are intended to be discharged into under Alternatives 1, 2, and 3, respectively. The portion of Bear Creek that treated effluent will be discharged into under Alternative 1 is identified as an R2UBH riverine habitat. R2UBH indicates a Riverine System (R), with a lower perennial subsystem (2), an unconsolidated bottom (U), and is permanently flooded (H). The portion of Black Rascal Creek that will be discharged into under Alternative 2 is identified as an R2UBHx riverine habitat. R2UBHx indicates a riverine system (R), with a lower perennial subsystem (2), an unconsolidated bottom (U), that is permanently flooded (H) and was excavated by humans (x). The portion of the Deckert Lateral that effluent would be discharged into under Alternative 3 is identified as an R5UBFx riverine habitat. R5UBFx indicates a riverine system (R), with an unknown perennial (5), an unconsolidated bottom (U), that is semi permanently flooded (F) and was excavated by humans (x). In addition, the Project site contains riparian habitat, mostly along the Bear Creek and Black Rascal Creek water features.

Environmental Protection Agency – WATERS Geoviewer

The U.S. Environmental Protection Agency (EPA) WATERS GeoViewer provides a GeoPlatform based web mapping application of water features by location. According to the WATERS GeoViewer, there are two surface water

[7] National Oceanic and Atmospheric Administration (NOAA). Critical Habitat. Accessed on May 15, 2025, https://www.fisheries.noaa.gov/national/endangered-species-conservation/critical-habitat#definition-of-critical-habitat

[8] U.S. Fish & Wildlife. (2025). ECOS Environmental Conservation Online System - USFWS Threatened & Endangered Species Active Critical Habitat Report (updated February 25, 2025). Accessed May 15, 2025, https://ecos.fws.gov/ecp/report/table/critical-habitat.html

[9] U.S. Fish & Wildlife Service. National Wetlands Inventory. Accessed May 15, 2025, https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/

features (i.e., streams, canals, pipelines, waterbodies, catchments, hydrologic units) adjacent to the Project site. The two features are identified as Bear Creek and Black Rascal Creek. [10]

California Department of Fish and Wildlife – Natural Diversity Database

The California Department of Fish and Wildlife (CDFW) operates the California Natural Diversity Database (CNDDB), which is an inventory of the status and locations of rare plants and animals in California in addition to the reported occurrences of such species. [11] According to the CDFW CNDDB, there have been no reported occurrences of any special status species within the Project site. The Project site is located within the Atwater Quad, as designated by the United States Geological Survey (USGS). There are 11 special-status species with a total of 24 occurrences that have been observed and reported to CDFW in or near the Atwater Quad. Of the 11 species, there are five (5) federally or state-listed species: tricolored blackbird, vernal pool fairy shrimp, Swainson's hawk, Colusa grass, and San Joaquin kit fox. [12] Appendix B lists the CNDDB-identified animal and plant species within the Atwater Quad, including their habitat and occurrences.

[10] U.S. Environmental Protection Agency. WATERS GeoViewer. Accessed May 15, 2025, https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=074cfede236341b6a1e03779c2bd0692

[11] California Department of Fish and Wildlife. California Natural Diversity Database. Accessed May 15, 2025, https://wildlife.ca.gov/Data/CNDDB

[12] California Department of Fish and Wildlife. Biogeographic Information and Observation System 6. Accessed May 15, 2025, https://apps.wildlife.ca.gov/rarefind/view/RareFind.aspx#

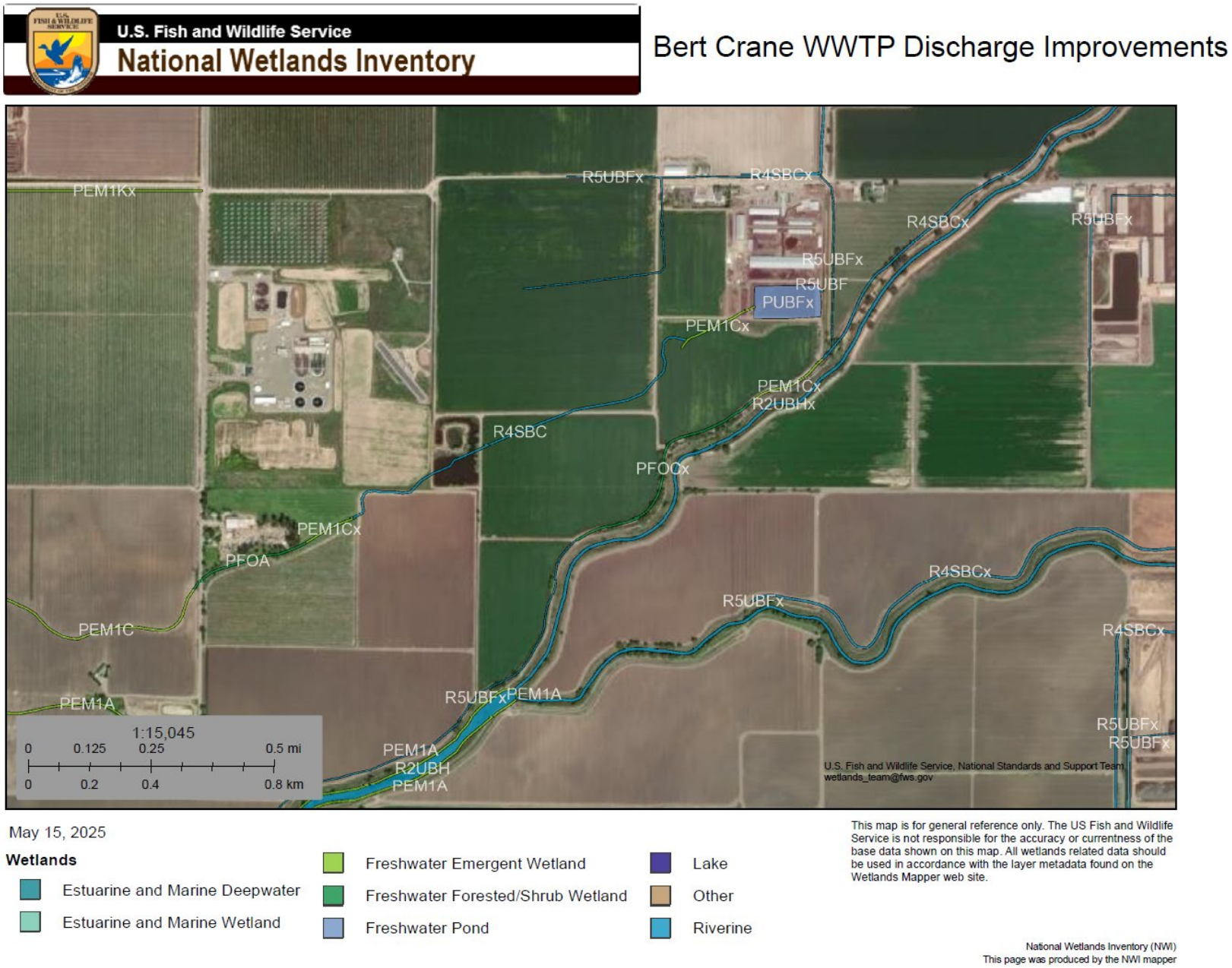


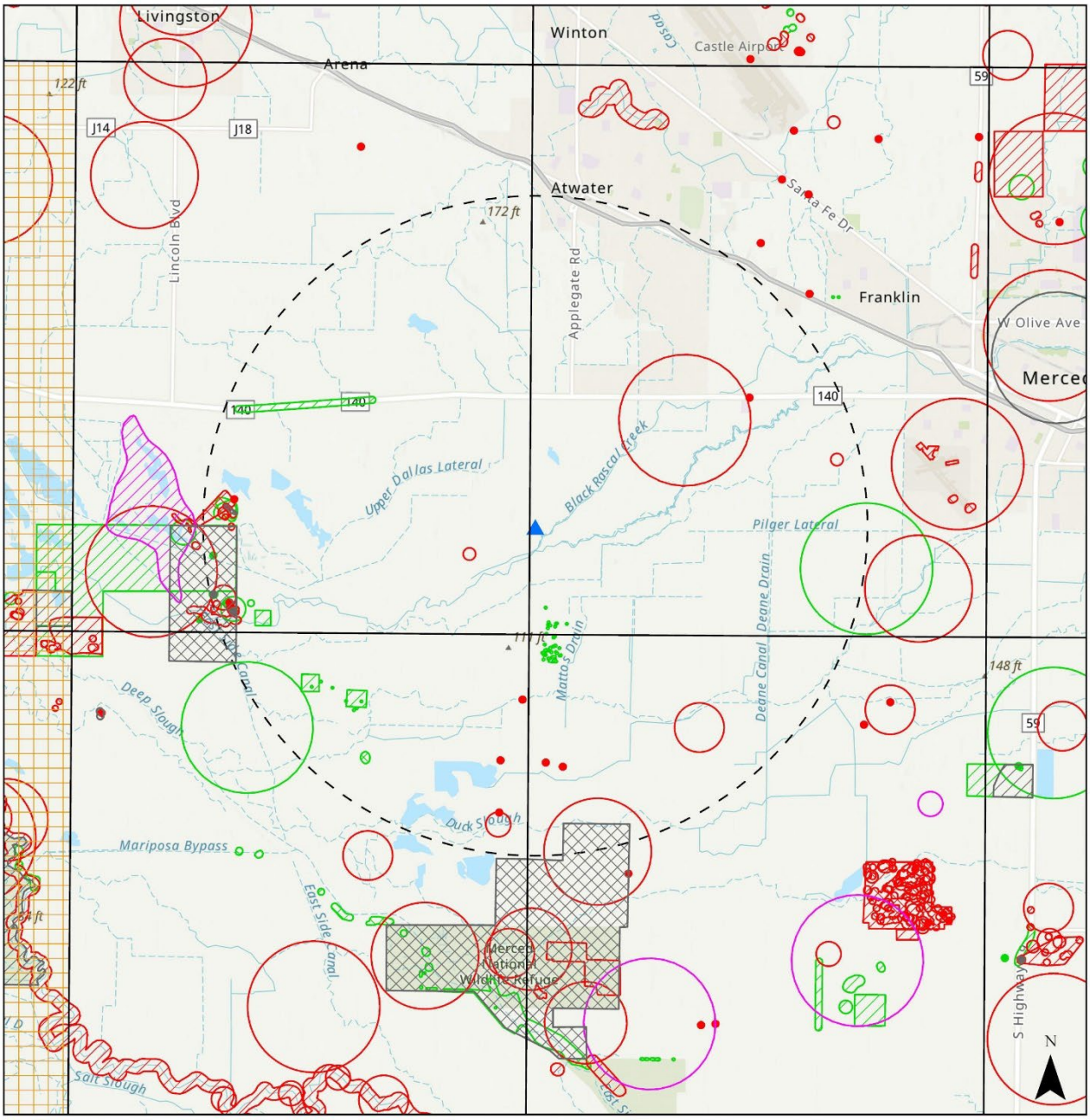
Figure 4-2 National Wetlands Inventory

The CNDDB also provides CNDDB-known occurrences within a set geographic radius. Figure 4-3 shows the CNDDB-identified occurrences of animal and plant species within the five (5)-mile radius of the Project site. The 5-mile radius extends into the adjacent Arena, Sandy Mush, and Turner Ranch Quads. There are 28 special-status species with a total of 50 occurrences that have been observed and reported to CDFW within the 5-mile radius. Table 4-4 lists all federally or state-listed special-status species CNDDB-known occurrences within the five (5)-mile radius of the Project site. As shown, the nearest occurrence is the tricolored blackbird occurrence that is approximately 0.9 miles southwest of the Project site, dated 2008. The CNNDB ranks occurrences by the condition of habitat and ability of the species to persist over time. As shown, the occurrences within the five (5)-mile radius of the Project site are ranked as fair, good, and excellent.

Table 4-4 Special-Status Species Occurrences within 5-mile radius of Project site

Species	Date	Rank	Distance to site
Tricolored blackbird	2008/04/25	Unknown	0.9 miles southwest
Colusa grass	2011/10/15	Fair	1.20 – 2.05 miles south
Tricolored blackbird	1971/05/09	Unknown	1.8 miles northeast
Tricolored blackbird	2003/03/06	Excellent	2.5 miles south
California tiger salamander	1999/04/01	Unknown	3.5 miles southwest
Swainson's hawk	1994/06/08	Unknown	3.5 miles southeast
Colusa grass	2001/09/06	Fair	3.5 miles southwest
Hoover's spurge	1987/05/29	Good	3.9 miles southwest
Tricolored blackbird	2011/04/16	Unknown	4.2 miles south
California tiger salamander	1994/03	Unknown	4.5 miles south
San Joaquin kit fox	1986/11/06	Unknown	4.5 miles south
California linderiella	1994/03/02	Unknown	4.5 miles west
Alkali milk-vetch	1994	Unknown	4.6 miles southwest
Swainson's hawk	2016/04/13	Unknown	4.6 miles east

Only federally or state-listed threatened/endangered species are listed in the table.
Extirpated or possible extirpated occurrences are not shown on the table.



Note: Data Accuracy
Accuracy represents spatial uncertainty in a relative way on a scale of one to ten (from most accurate to least accurate).

- Specific -specific bounded area (Level 1)
- Non-specific-non-specific bounded area (Level 3)
- 80m-specific bounded area with an 80-meter radius (Level 1)

Note: Extirpated or possible extirpated occurrences are not labeled in the figure.

Source: California Natural Diversity Database (CNDDB) Commercial (ds85)
Accessed Date: 5/15/2025

Figure 4-3 CNDDB Species Occurrences

California Fish and Game Code

Sections 3503, *3503.5*, and *3513* of the California Fish and Game Code specifically protect native birds and raptors. Mitigation for avoidance of impacts to nesting birds is typically necessary to comply with these Sections of the Fish and Game Code in CEQA. [13]

Section 3503: *It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.*

Section 3503.5: *It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.*

Section 3513: *It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.*

City of Atwater General Plan (2000)

The Atwater General Plan Open Space and Conservation Element identified 21 special-status species to have the potential to occur, and five (5) species have been observed in or near the Atwater Planning Area. It maps the location of special-status species in the city's Planning area, and none are located within or in the immediate vicinity of the Project site. The Atwater General Plan[14] outlined policies related to the conservation of biological resources:

GOAL CO-6. *Minimize impacts of development on wildlife and wildlife habitat, particularly special status species.*

> ***Policy CO-6.1.*** *Consider opportunities for habitat preservation and enhancement in conjunction with public facility projects, particularly parks and storm drainage facilities.*
>
> ***Policy CO-6.2.*** *Encourage the preservation of corridors between natural habitat areas to allow for the movement of wildlife and to prevent the creation of "biological islands."*
>
> ***Implementation Program CO-6.a.*** *When new development or redevelopment activities are proposed in locations with the potential for special status species to occur, require the project applicant to submit a report by a qualified biologist addressing the presence or absence of any special status species on the development site. The report shall include recommendations for avoiding or minimizing impacts on any special status species or habitat found to be present.*

4.4.2 Impact Assessment

Would the project:

---

[13] The California Biologist's Handbook. California Fish and Game Code. Accessed on May 15, 2025, https://biologistshandbook.com/regulations/state-regulations/state-fish-and-game-code/#:~:text=Section%203503,any%20regulation%20made%20pursuant%20thereto.%E2%80%9D

[14] City of Atwater, California. (2000). City of Atwater 2000 General Plan Open Space and Conservation Element. Accessed on May 15, 2025, https://www.atwater.org/docs/generalplan/CHAPTER_4__OPEN_SPACE_AND_C.PDF

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Potentially Significant. Land within the Project site mostly consists of county road right-of-way and active agricultural fields. Construction of the proposed project, including installation of underground pipelines, construction of the pump station, and installation of outfall structures along Bear Creek or Black Rascal Creek, would temporarily disturb ruderal and agricultural lands and could result in impacts on common wildlife species during grading and trenching. In addition, under existing conditions, the City's tertiary-treated effluent is applied to agricultural fields for percolation and irrigation. This practice has resulted in periodic inundation of farmland, creating shallow ponded areas that support opportunistic wetland vegetation and transient wildlife use.

b) With implementation of these mitigation measures the project would not result in a substantial adverse effect on special-status species, riparian habitat, or sensitive natural communities. Impacts would therefore be less than significant with mitigation incorporated.Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Potentially Significant. According to the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) databases, there are no mapped sensitive natural communities within or immediately adjacent to the Project site. The nearest riparian habitat occurs along Black Rascal Creek and Bear Creek, both of which support intermittent aquatic and riparian vegetation along their banks.

The Project would construct or replace an outfall structure at one of these creeks: Black Rascal Creek under Alternative 1 or 3, or Bear Creek under Alternative 2. Construction would result in localized disturbance to the streambed, banks, and associated riparian vegetation. These features are subject to regulation under Fish and Game Code §1600 et seq. (Lake or Streambed Alteration Agreement) and Clean Water Act §§401 and 404.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Potentially Significant. Based on a review of the National Wetlands Inventory (NWI) and other available data, the Project area contains no mapped wetlands within the proposed pump station or pipeline alignment. The nearest wetlands occur along Black Rascal Creek and Bear Creek, both of which are natural or modified watercourses supporting intermittent riparian and aquatic vegetation. These features are considered waters of the U.S. and State subject to regulation under Clean Water Act Sections 401 and 404 and the Porter-Cologne Water Quality Control Act. Construction of the new or replacement outfall structure into Bear Creek or Black Rascal Creek may result in minor, localized disturbance to the streambed and adjacent riparian fringe.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Potentially Significant. Wildlife movement corridors are linear habitats that function to connect two (2) or more areas of significant wildlife habitat. These corridors may function on a local level as links between small habitat patches (e.g., streams in urban settings) or may provide critical connections between regionally significant habitats

(e.g., deer movement corridors). Wildlife corridors typically include vegetation and topography that facilitate the movements of wildlife from one area of suitable habitat to another, in order to fulfill foraging, breeding, and territorial needs. These corridors often provide cover and protection from predators that may be lacking in surrounding habitats. Wildlife corridors generally include riparian zones and similar linear expanses of contiguous habitat.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than Significant Impact. The Atwater General Plan Open Space and Conservation Element outlines policies related to conservation of biological resources, as listed in the Environmental Setting above. In addition, *Chapter 12.32* of the Atwater Municipal Code (AMC) identifies the city's tree policies and *Section 12.32.080* addresses new construction. Planting, maintenance, and removal of existing trees on the Project site would be subject to compliance with these standards and regulations. However, there are no trees within the Project site. As such, the Project would have a less than significant impact.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The Project site is within the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP). The HCP covers PG&E's routine operations and maintenance activities and minor new construction, on any PG&E gas and electrical transmission and distribution facilities, easements, private access routes, or lands owned by PG&E. The Project would not conflict or interfere with HCP. The Project is also located in the planning area of the Recovery Plan for Upland Species of the San Joaquin Valley, which addresses recovery goals for several species. The Project would not conflict with the plan since the site does not provide appropriate habitat for the species mentioned and would comply with applicable General Plan policies regarding habitat conservation. The City, County, and Regional Planning Agency do not have any other adopted or approved plans for habitat or natural community conservation. For these reasons, the Project would have no impact.

4.4.3 Mitigation Measures

None required.

4.5 CULTURAL RESOURCES

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	X			
c)	Disturb any human remains, including those interred outside of formal cemeteries?	X			

4.5.1 Environmental Setting

Generally, the term 'cultural resources' describes property types such as prehistoric and historical archaeological sites, buildings, bridges, roadways, and tribal cultural resources. As defined by CEQA, cultural resources are considered "historical resources" that meet criteria in *Section 15064.5(a)* of the CEQA Guidelines. If a Lead Agency determines that a project may have a significant effect on a historical resource, then the project is determined to have a significant impact on the environment. No further environmental review is required if a cultural resource is not found to be a historical resource.

California Historical Resource Information System Record Search

The Central California Information Center (CCIC) was requested to conduct a California Historical Resources Information System (CHRIS) Record Search for the Project site and surrounding "Project Area" (0.5-mile radius from perimeter of Project site). Results of the CHRIS Record Search were provided on May 9, 2025 (Record Search File Number 13350I). Full results are provided in Appendix C.

The CHRIS Record Searches generally review file information based on results of Class III pedestrian reconnaissance surveys of project sites conducted by qualified individuals or consultant firms which are required to be submitted, along with official state forms properly completed for each identified resource, to the Regional Archaeological Information Center. Guidelines for the format and content of all types of archaeological reports have been developed by the California Office of Historic Preservation, and reports will be reviewed by the regional information centers to determine whether they meet those requirements.

The results of the CCIC CHRIS Record Search indicate:

(1) There are no formally recorded prehistoric or historic archaeological resources or historic buildings or structures within the Project site.
(2) The Project site is within the overall boundary of the proposed "Merced Irrigation District" (P-24-001909), listed in the Office of Historic Preservation Built Environment Resource Directory (BERD) for Merced County

with a National Register of Historic Places rating of "6Y", determined ineligible for the National Register of Historic Places by consensus through the Section 106 process, not evaluated for the California Register of Historical Resources or for local listing.

(3) There are five (5) water conveyance features within the Project area, portions of which have been recorded elsewhere in Merced County. The following are contributing elements to the Merced Irrigation District:
   - Bear Creek Canal (P-24-002046)
   - Black Rascal Creek Canal (P-24-002047)
   - O'Donnell Lateral (P-24-001679)

   The following are not contributing elements:
   - Gurr Lateral (P-24-002011)
   - Hinds Lateral (P-24-002012)

(4) The General Land Office survey plat for T7S R12E (dated 1855) does not show any historic features in the south half of Section 35. The General Land Office survey plat for T8S R12E (dated 1856) shows the north half of Section 2 divided into parcels of various acreages.

(5) The 1918 edition of the Atwater USGS quadrangle shows two buildings within the NE ¼ of the NE ¼ of Section 2, T7S, R12E, and a building in the NE ¼ of the SE ¼ of Section 35, T7S R12E. The 1918 edition of the Area USGS quadrangle shows 2 buildings in the NW ¼ of Section 2. No further information is on file for these possible historic buildings.

(6) Prehistoric archaeological resources, including Native American burials, have been found elsewhere in Merced County beneath the plow zone within the environs of the Bear Creek and Black Rascal Creek drainage systems.

Further, the CCIC provided the following comments and recommendations:

(1) Since the project area has not been subject to previous investigations, there may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

(2) If ground disturbance is considered a part of the current project, we recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources.

(3) If the proposed Project contains buildings or structures that are 45 years old or older, it is recommended that those resources be assessed by a professional familiar with architecture and history.

(4) Mitigate archaeological resources that could potentially be encountered during construction.

(5) If human remains are discovered, CA Health and Safety Code Section7050.5 requires the protection of the discovery and notification of the county coroner. If the remains are determined to be Native American, the coroner shall then notify the Native American Heritage Commission (NAHC).

4.5.2 Impact Assessment

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

No Impact. According to the CHRIS Record Search conducted on May 9, 2025, there are no local, state, or federal designated historical resources within the Project site or vicinity. The Project site has been extensively disturbed by ongoing agricultural activities, which reduces the likelihood of undiscovered resources. The Project involves an underground pipeline and a pump station. Since no buildings or structures that would require demolition or modification are located in the construction area, there will be no direct impact on any potential historical buildings. As such, the Project would not cause a change to a historical resource pursuant to *Section 15064.5* and therefore, the Project would have no impact.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Potentially Significant Impact. The proposed project involves extensive ground-disturbing activities, including trench excavation for new pipelines, construction of a pump station, and installation of outfall structures near Bear Creek, Black Rascal Creek, and the Deckert Lateral. These areas contain Quaternary alluvial deposits with the potential to retain buried prehistoric or historic-era archaeological resources that are not visible at the surface. Because construction could uncover and damage previously unknown archaeological deposits, the project may cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines *Section 15064.5*. This impact is considered potentially significant and will be evaluated in detail in the EIR.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Potentially Significant Impact. Although no known cemeteries or formal burial sites occur within the project area, ground disturbance associated with pipeline installation and outfall construction could inadvertently uncover previously unknown human remains, particularly given the project's proximity to historic waterways traditionally used by Native American communities. Accidental discovery of human remains, including those outside of formal cemeteries, would be a potentially significant impact under CEQA. This issue will be further analyzed in the EIR, including identification of appropriate procedures and mitigation measures pursuant to Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.

4.5.3 Mitigation Measures

None required.

4.6 ENERGY

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

4.6.1 Environmental Setting

Appendix F – Energy Conservation of the CEQA Guidelines requires consideration of energy implications in project decisions, including a discussion of the potential energy impacts with emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy resources (Public Resources Code *Section 21100(b)(3)*). Per Appendix F, a project would be considered inefficient, wasteful, and unnecessary if it violated existing energy standards, had a negative effect on local and regional energy supplies and requirements for additional capacity, had a negative effect on peak and base period demands for electricity and other energy forms, and affected energy resources.

The California Energy Commission updates the Building Energy Efficiency Standards (Title 24, Parts 6 and 11) every three years as part of the California Code of Regulations. The standards were established in 1978 in an effort to reduce the state's energy consumption. They apply to new construction of, and additions and alterations to, residential and nonresidential buildings and relate to various energy efficiencies including but not limited to ventilation, air conditioning, and lighting.[15] The California Green Building Standards Code (CALGreen), Part 11, Title 24, California Code of Regulations, was developed in 2007 to meet the state goals for reducing Greenhouse Gas emissions pursuant to AB32. CALGreen covers five (5) categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.[16] The 2019 Building Energy Efficiency Standards went into effect on January 1, 2020. Additionally, the California Air Resources Board (CARB) oversees air pollution control efforts, regulations, and programs that contribute to reduction of energy consumption. Compliance with these energy efficiency regulations and programs ensures that development will not result in wasteful, inefficient, or unnecessary consumption of energy sources. Lastly, the Energy Action Plan

[15] California Energy Commission. 2019 Building Energy Efficiency Standards. Accessed on May 16, 2025, https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency

[16] California Department of General Services. (2020). 2019 California Green Building Standards Code. Accessed on May 16, 2025, https://codes.iccsafe.org/content/CGBC2019P3

(EAP) for California was approved in 2003 by the California Public Utilities Commission (PUC). The EAP established goals and next steps to integrate and coordinate energy efficiency demand and response programs and actions.[17]

4.6.2 Impact Assessment

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than Significant Impact. The Project proposes the installation of a pump station and underground pipelines to carry treated effluent from the WWTP to Black Rascal Creek or Bear Creek. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities. All construction equipment shall conform to current emissions standards and related fuel efficiencies. In addition, through compliance with applicable CARB regulations (Airborne Toxic Control Measure), California Code of Regulations (Title 13, Motor Vehicles), and Title 24 standards, it can be determined that the proposed Project would not consume energy in a manner that is wasteful, inefficient, or unnecessary. For these reasons, the Project would result in a less than significant impact.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than Significant Impact. As discussed under criterion a), the construction and operations of the Project would be subject to compliance with applicable energy efficiency regulations. Thus, applicable state and local regulations and programs would be implemented to reduce energy waste from construction and operations. Table 4-5 demonstrates that the Project does not conflict with or obstruct with the energy conservation/efficiency policies identified in the General Plan.

Table 4-5 Consistency with General Plan Energy Conservation Policies

General Plan Energy Conservation Policies	Consistency/Applicability Determination
Policy CO-7.1. *Encourage the incorporation of energy conservation features into new development, such as high-density development, bikeways and pedestrian paths, proper solar orientation, and transit routes and facilities.*	**Consistent.** The Project proposes a pump station and underground pipeline. The Project would be subject to compliance with Title 24 standards. As such, the Project incorporates energy conservation features.

Therefore, through compliance, the Project would not conflict with or obstruct any state or local plan for energy efficiency and a less than significant impact would occur because of the Project.

4.6.3 Mitigation Measures

None required.

[17] State of California. (2008). Energy Action Plan 2008 Update. Accessed on May 16, 2025, https://docs.cpuc.ca.gov/word_pdf/REPORT/28715.pdf

4.7 GEOLOGY AND SOILS

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
	ii. Strong seismic ground shaking?			X	
	iii. Seismic-related ground failure, including liquefaction?				X
	iv. Landslides?				X
b)	Result in substantial soil erosion or the loss of topsoil?			X	
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				X
f)	Directly or indirectly destroy a unique paleontological resource or site or	X			

unique geologic feature?				

4.7.1 Environmental Setting

Merced County is located within the San Joaquin Valley which is part of the Great Valley Geomorphic Providence that is bounded to the east by the Sierra Nevada Mountain range, to the west by the Coastal Range, and to the south by the Tehachapi mountains. The County has infrequent and low historic seismic activity. In addition, the county has no known active earthquake faults (i.e., faults showing activity within the last 11,000 years) and the Project site is not in any Alquist-Priolo Special Studies Zones. [18] [19]

The nearest faults are approximately 20 miles to the northeast in the Sierra Nevada Range (i.e., the Bear Mountain Fault) and approximately 30 miles to the southwest in the Diablo/Coastal Range (i.e., the San Joaquin, O'Neill, and Ortigalita Faults). The Ortigalita Fault is the nearest fault within the Alquist-Priolo earthquake fault zone; the fault has not been historically active. Earthquakes from nearby faults would most likely generate ground motion of shaking, but there is no history of this causing damage in the area. Compliance with the California Building Code (CBC) would be sufficient to prevent significant damage during seismic events.

Subsurface Soils

A search of the Web Soil Survey by the USDA Natural Resources Conservation Service (Figure 4-4) indicates that the following soils comprise the Project site: [20]

BgA: Burchell silt loam, 0-1 percent slopes. The depth to the water table is about 0 inches. Frequency of flooding is rare with no ponding. The BgA soils account for 7.8% of the Project site.

DdA: Delhi loamy sand, 0-3 percent slopes, MLRA 17. The depth to the water table is more than 80 inches, with no flooding or ponding. The DdA soils account for 2.4% of the Project site.

DpA: Dinuba sandy loam, 0-1 percent slopes. The depth to the water table is more than 80 inches with no flooding or ponding. The DpA soils account for 1.6% of the Project site.

FsA: Fresno loam, strongly saline-sodic, 0-1 percent slopes. The depth to the water table is more than 80 inches. Frequency of flooding is rare, with no ponding. The FsA soils account for 3.4% of the Project site.

HgA: Hilar loamy sand, 0-3 percent slopes. The depth to the water table is more than 80 inches, with no flooding or ponding. The HgA soils account for 35.2% of the Project site.

LeA: Landlow silty clay loam, 0-1 percent slopes. The depth to the water table is about 0 inches. Flooding is rare, with no ponding. The LeA soils account for 36.2% of the Project site.

[18] According to the California Department of Conservation, *"An active fault, for the purposes of the Alquist-Priolo Act, is one that has ruptured in the last 11,000 years."*
[19] California Department of Conservation. "CGS Seismic Hazard Program: Alquist-Priolo Fault Hazard Zones." Accessed on May 19, 2025, https://gis.data.ca.gov/datasets/daba2b7801454ab6a159aa7ad411d0f6_0/explore
[20] United States Department of Agriculture Natural Resources Conservation Service. "Web Soil Survey." Accessed on May 19, 2025, https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

LmA: Lewis loam, moderately saline-alkani, 0-1 percent slopes. The depth to the water table is more than 80 inches. Flooding is rare, with no ponding. The LmA soils account for 4.7% of the Project site.

MfA: Marguerite silty clay loam, 0-1 percent slopes. The depth to the water table is more than 80 inches with no flooding or ponding. The MfA soils account for 6.6% of the Project site.

SnA: Snelling sandy loam, 0-3 percent slopes. The depth to the water table is more than 80 inches with no flooding or ponding. The SnA soils account for 1.9% of the Project site.

California Building Code

The California Code of Regulations (CCR) Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. The California Building Code incorporates by reference the International Building Code with necessary California amendments. About one-third of the text within the California Building Standards Code has been tailored for California earthquake conditions. Construction within the City of Atwater is governed by the seismic safety standards of Chapter 16 of the Code. These standards are applicable to all new buildings and are required to provide the necessary safety from earthquake related effects emanating from fault activity.

Figure 4-4 USGS Web Soil Survey Map

4.7.2 Impact Assessment

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. There are no known active earthquake faults within the Project site, nor is the Project sitewithin an Alquist-Priolo earthquake fault zone as established by the Alquist-Priolo Fault Zoning Act. As such, development of the Project in an area void of earthquake faults would not cause rupture of a known earthquake fault. Therefore, no impact would occur as a result of the Project.

ii. Strong seismic ground shaking?

Less than Significant Impact. The Project site is in a region that is traditionally characterized by relatively low seismic activity. Additionally, development of the Project site would be required to comply with current seismic protection standards in the California Building Code (CBC), which would limit potential damage to structures and thereby reduce potential impacts including the risk of loss, injury, or death. Compliance with the CBC would ensure a less than significant impact.

iii. Seismic-related ground failure, including liquefaction?

No Impact. No liquefaction nor lateral spreading have been observed in the region from any historic earthquake. Liquefaction and lateral spreading potential are considered very low due to the nature of the underlying soils, relatively deep-water table, and history of low ground shaking potential. In addition, there are no geologic hazards or unstable soil conditions known to exist within the Project site. The Project site is relatively flat with stable soils and no apparent unique or significant landforms. As CEQA requires an analysis of a Project's impact on the environment rather than the environment's impacts on a Project, no impacts would occur. Therefore, because the Project does not have any aspect that could result in seismic-related ground failure, including liquefaction, the Project would have no impact.

iv. Landslides?

Less than Significant Impact. Landslides are not expected to occur as a result of the Project as the Project site is not located in a zone where landslides, subsidence, or liquefaction could possibly occur. The topography of the Project site is relatively flat with stable, native soils. While the Project would include work on the banks of Black Rascal Creek or Bear Creek, a Lake and Streambed Alteration Agreement would be required by CDFW that would ensure alterations to the banks would not have an adverse effect. Therefore, a less than significant impact would occur because of the Project.

b) Result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. Soil erosion and loss of topsoil can be caused by natural factors, such as wind and flowing water, and human activity. The Project site is relatively flat, which limits the potential for substantial soil erosion. Development of the Project would require typical site preparation activities such as grading and trenching which may result in the potential for short-term soil disturbance or erosion impacts. Soil disturbance during construction is largely caused by the use of water. Excessive soil erosion could cause damage to existing structures and roadways.

The likelihood of erosion occurring during construction would be reduced through site grading and surfacing, which would be subject to review and approval by the City and County for compliance with applicable standards. Development of the Project would be required to comply with AMC *Chapter 12.22 – Stormwater Management and Discharge Control Ordinance*, which requires that any person performing construction activities in the City shall prevent pollutants from entering the storm water conveyance system and comply with all applicable Federal, State, and local laws, ordinances or regulations, including but not limited to, the current California NPDES general permit for storm water discharges associated with construction activity (construction general permit). All construction projects, regardless of size, having soil disturbance or activities exposed to storm water must, at a minimum, implement best management practices (BMPs) for erosion and sediment controls, soil stabilization, dewatering, source controls, pollution prevention measures, and prohibited discharges. Implementation of the BMPs minimizes the potential for the Project to result in substantial erosion or loss of topsoil. In addition, the City's Public Works and Building Departments has prepared a standard set of conditions for proposed developments to the control of dust emissions during grading and other earth moving activities.

The likelihood of erosion would be further reduced through compliance with regulations set by the State Water Resources Control Board (SWRCB). Namely, the SWRCB requires sites larger than one (1) acre to comply with the General Permit for Discharges of Storm Water Associated with Construction Activity (i.e., General Permit Order No. 2009-0009-DWQ). The General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). The SWPPP estimates the sediment risk associated with construction activities and includes best management practices (BMP) to control erosion. BMPs specific to erosion control cover erosion, sediment, tracking, and waste management controls. Implementation of the SWPPP minimizes the potential for the Project to result in substantial soil erosion or loss of topsoil. With these provisions in place, impacts on soil and topsoil by the Project would be considered less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less than Significant Impact. Ground subsidence is the settling or sinking of surface soil deposits with little or no horizontal motion. Soils with high silt or clay content are subject to subsidence. Subsidence typically occurs in areas with groundwater withdrawal or oil or natural gas extraction. The topography of the site is relatively flat with stable, native soils and no apparent unique or significant landforms. Future development of the Project would be required to comply with current seismic protection standards in the CBC which would significantly limit potential seismic-related hazards such as landslides, lateral spreading, subsidence, liquefaction, or collapse. Compliance with the CBC would ensure a less than significant impact.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?

No Impact. The Project site is relatively flat with native soils of predominately loam, sandy loam, loamy sand, which is not expansive. No impact would occur.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The Project would not generate wastewater that would require the use of septic tanks or an alternative wastewater disposal system. Therefore, no impact would occur.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact. Project construction would require substantial ground disturbance, including trenching for installation of new pipelines, excavation for a pump station, and construction of outfall structures. These activities would occur within Quaternary alluvial deposits, which are known to contain vertebrate fossils and other scientifically important paleontological resources in the region. Because excavation could directly or indirectly destroy unique paleontological resources or unique geologic features that may be present below the disturbed surface soils, this impact is considered potentially significant under CEQA. A detailed evaluation of paleontological resource sensitivity, potential impacts, and mitigation measures will be provided in the EIR.

4.7.3 Mitigation Measures

None required.

4.8 GREENHOUSE GAS EMISSIONS

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

4.8.1 Environmental Setting

In assessing the significance of impacts from GHG emissions, *Section 15064.4(b)* of the CEQA Guidelines states that a lead agency may consider the following:

- The extent to which the project may increase or reduce GHG emissions as compared to the environmental setting;
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project;
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

The California Air Resources Board (CARB) 2022 Climate Change Scoping Plan, guidance from the SJVAPCD, and City of Atwater General Plan are discussed below and are utilized as thresholds of significance.

2022 Climate Change Scoping Plan

The CARB 2022 Climate Change Scoping Plan is the adopted statewide plan for reduction and mitigation of GHGs to implement Assembly Bill (AB) 1279. AB 1279 was issued on August 12, 2022 to require California to achieve "net zero greenhouse gas emissions" as soon as possible and to further reduce anthropogenic GHG emissions thereafter. It sets a statewide goal to reduce emissions 85% below 1990 levels no later than 2045.

Consequently, the Scoping Plan involves several measures for cost-effective reduction of GHG emissions, including continuing existing programs such as Renewable Portfolio Standard, Advanced Clean Cars, Low Carbon Fuel Standard, etc., and achieving new mandates to decarbonize several sectors. Along with reducing emissions, environmental justice policies are included to address the ongoing air quality disparities.

Appendix D of the 2022 Scoping Plan include recommendations to build momentum for local government actions to align with State goals, including through CEQA review. The Appendix outlines the priority GHG reduction

strategies for local governments, including transportation electrification, VMT reduction, and building decarbonization. [21]

SJVAPCD CEQA Air Quality Guidelines

The SJVAPCD's Guidance for Valley Land Use Agencies in Addressing GHG Impacts for New Projects Under CEQA (2009) provides screening criteria for climate change analyses, as well as draft guidance for the determination of significance. [22,23] These criteria are used to evaluate whether a project would result in a significant climate change impact (see below). Projects that meet one of these criteria would have less than significant impact on the global climate.

- Does the project comply with an adopted statewide, regional, or local plan for reduction or mitigation of GHG emissions? If no, then:
- Does the project achieve 29% GHG reductions by using approved Best Performance Standards (BPS)? If no, then
- Does the project achieve AB 32 targeted 29% GHG emission reductions compared with Business As Usual (BAU)?

Assembly Bill (AB) 32 was enacted by the California State legislature in 2006 with the aim to reduce GHG emissions to levels of 1990 by 2020. Recommended actions to achieve these aims were adopted by the California Air Resources Board (CARB) in 2008 (i.e., the Climate Change Scoping Plan). However, the 29% GHG emission reductions compared to BAU threshold are outdated since it is aimed to meet AB 32's 2020 goals, thus this threshold would not be used for analysis.

The City of Atwater does not have an adopted Climate Action Plan or GHG Reduction Plan. Because BPS have not yet been adopted and identified for specific development projects, and because the City of Atwater has not yet adopted a plan for reduction of GHG with which the Project can demonstrate compliance, the California Air Resources Board (CARB) 2022 Climate Change Scoping Plan and guidance from the San Joaquin Valley Air Pollution Control District (SJVAPCD) will be used as the threshold of significance.

San Joaquin Valley Air Pollution Control District

SJVAPCD adopted *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the policy *District Policy—Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency* in 2009. It recognized that project-specific emissions are cumulative and could be considered cumulatively considerable without mitigation. SJVAPCD suggested that the requirement to reduce GHG emissions for all projects is the best method to address this cumulative impact.

---

[21] California Air Resources Board. (2022). 2022 Scoping Plan Appendix D. Accessed on May 19, 2025, https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf

[22] San Joaquin Valley Air Pollution Control District. (2009). Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. Accessed May 19, 2025, http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf.

[23] San Joaquin Valley Air Pollution Control District. (2000). Environmental Review Guidelines: Procedures for Implementing the California Environmental Quality Act. Accessed May 19, 2025, http://www.valleyair.org/transportation/CEQA%20Rules/ERG%20Adopted%20_August%202000_.pdf

The SJVAPCD requires quantification of GHG emissions for all projects which the lead agency has determined that an EIR is required. Although an EIR is not required for the Project, the GHG emissions are quantified below. Short-term construction and long-term operational GHG emissions for project buildout were estimated using CalEEMod™ (v.2020.4.0). (See Appendix D). CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify GHG emissions from land use projects. The model quantifies direct GHG emissions from construction and operation (including vehicle use), as well as indirect GHG emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Emissions are expressed in annual metric tons of CO_2 equivalent units of measure (i.e., $MTCO_2e$), based on the global warming potential of the individual pollutants.

City of Atwater General Plan

At the local level, while the City of Atwater General Plan does not meet criteria of the CEQA Guidelines 15064.4(b)(3) for an appropriate GHG emissions reduction plan or program, the General Plan does have goals and policies relevant to climate change and minimizing GHG emissions and other pollutants, with an overall aim to reduce air quality impacts on the environment. These goals and policies are outlined in the Open Space and Conservation Element (CO), "Air Quality", and Safety Element (SF), "Wind Erosions and Dust Storms".

GOAL CO-3. *Strive to reduce air emissions and obtain goals set in local and regional air quality attainment plans.*

> ***Policy CO-3.1.*** *Cooperate with the San Joaquin Valley Unified Air Pollution Control District (APCD) in implementing air quality improvement plans prepared by the District.*
>
> ***Policy CO-3.2.*** *Encourage land use development projects that would result in fewer adverse air quality impacts, such as mixed use and pedestrian-oriented projects.*
>
> ***Policy CO-3.3.*** *Encourage the use of modes of transportation other than automobiles.*

GOAL SF-7. *Prevent activities that contribute to increased wind erosion.*

> ***Policy SF-7.1.*** *Require all projects that involve grading or other earth moving activities to implement dust control measures to reduce dust emissions.*

4.8.2 Impact Assessment

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact. The 2025 CEQA Guidelines do not establish a quantitative threshold of significance for GHG impacts, leaving lead agencies the discretion to establish such thresholds for their respective jurisdictions. Since the SJVAPCD does not have established GHG significance emissions thresholds and the City of Atwater does not have an adopted CAP for CEQA tiering purposes, the following utilizes qualitative analysis for greenhouse gas emission impacts. Short-term construction and long-term operational GHG emissions for project buildout were estimated using CalEEMod™ (v. 2022.1.1.29). See Appendix A for output files.

Construction Emissions

In regard to construction, the SJVAPCD does not recommend assessing pollution associated with construction, as pollution-related construction will be temporary. These construction GHG emissions are a one-time release. As such, it can be anticipated that these construction emissions would not generate a significant contribution to global climate change over the lifetime of the Project.

Operational Emissions

Regarding the long-term operational related GHG emissions, the estimated operational emissions for buildout of the Project incorporate the potential area source and vehicle emissions, and emissions associated with utility and water usage, and wastewater and solid waste generation. The South Coast Air Quality Management District (SCAQMD) adopted a staff proposal for an interim GHG significance threshold of 10,000 MT CO_2e per year for GHG for construction and operational emissions. The BAAQMD also adopted a 10,000 MT CO_2e per year threshold. Utilizing this as the threshold, annual operational emissions below 10,000 $MTCO_2e$ would have a less than significant cumulative impact on GHGs. The annual operational GHG emissions associated with buildout of the Project is 23.4 MT CO_2e based on the CalEEMod run. This is less than the 10,000 $MTCO_2e$ threshold of the SCAQMD and BAAQMD.

Further, the Project would not exceed the thresholds of significance for construction or operational emissions as discussed in Section 4.3. Additionally, as discussed in more detail below, the Project would be generally consistent with the applicable goals and policies related to GHG reduction measures, including CARB's 2022 Scoping Plan and SJVAPCD guidelines, and the City of Atwater General Plan goals and policies that aim to reduce air emissions and improve air quality, which reduces GHG emissions as a result. Cumulatively, these emissions would not generate a significant contribution to global climate change over the lifetime of the proposed Project. As such, it can be determined that the Project would not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of GHG emissions and therefore the impact would be less than significant.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact. The compatibility of the Project with the 2022 Scoping Plan and MCAP, MCAG RTP/SCS, SJVAPCD CCAP, and applicable goals in the Atwater General Plan.

Consistency with the 2022 Climate Change Scoping Plan

Based on the evaluation shown in Table 4-6, the Project is consistent with the reduction measures identified in the 2022 Scoping Plan. The reduction measures are derived from the 2022 Scoping Plan Table 1 – Priority GHG Reduction Strategies, which provides 3 priority areas to assist jurisdictions with developing local climate action plans.

Table 4-6 Scoping Plan Priority GHG Reduction Strategies Consistency Analysis

Priority Areas	Priority GHG Reduction Strategies	Consistency/Applicability Determination
Transportation Electrification	Convert local government fleets to ZEVs and provide EV charging at public sites.	**Not Applicable.** The Project does not include usage of local government fleets.
	Create a jurisdiction-specific ZEV ecosystem to support deployment of ZEVs statewide (such as building standards that exceed state building codes,	**Not Applicable.** This is a city-wide strategy thus is not applicable to the Project.

	permit streamlining, infrastructure siting, consumer education, preferential parking policies, and ZEV readiness plans).	
VMT Reduction	Reduce or eliminate minimum parking standards.	**Not Applicable.** This is a city-wide strategy thus is not applicable to the Project.
	Implement Complete Streets policies and investments, consistent with general plan circulation element requirements.	**Not Applicable.** No roadways are proposed as part of the Project.
	Increase access to public transit by increasing density of development near transit, improving transit service by increasing service frequency, creating bus priority lanes, reducing or eliminating fares, microtransit, etc.	**Not Applicable.** The Project proposes a pump station, underground pipeline and an outfall structure. The Project does not increase density of development due to the nature of the Project.
	Increase public access to clean mobility options by planning for and investing in electric shuttles, bike share, car share, and walking.	**Not Applicable.** The Project is not intended for public access.
	Implement parking pricing or transportation demand management pricing strategies.	**Not Applicable.** The Project does not propose any parking nor is there to be any increased transportation demand as a result of the Project.
	Amend zoning or development codes to enable mixed-use, walkable, transit-oriented, and compact infill development (such as increasing the allowable density of a neighborhood)	**Not Applicable.** This is a city-wide strategy thus is not applicable to the Project.
	Preserve natural and working lands by implementing land use policies that guide development toward infill areas and do not convert "greenfield" land to urban uses (e.g., green belts, strategic conservation easements)	**Consistent.** While installation of the pipeline would be done within "greenfield" land, the land would not be converted to urban uses as the pipeline would be located underground.
Building Decarbonization	Adopt all-electric new construction reach codes for residential and commercial uses.	**Not Applicable.** This is a city-wide strategy thus is not applicable to the Project.
	Adopt policies and incentive programs to implement energy efficiency retrofits for existing buildings, such as weatherization, lighting upgrades, and replacing energy-intensive appliances and equipment with more efficient systems (such as Energy Star-rated equipment and equipment controllers) .	**Not Applicable.** This is a city-wide strategy thus is not applicable to the Project. In addition, the Project does not include retrofits for existing buildings.
	Adopt policies and incentive programs to electrify all appliances and equipment in existing buildings such as appliance rebates, existing building reach codes, or time of sale electrification ordinances	**Not Applicable.** This is a city-wide strategy thus is not applicable to the Project. In addition, the Project does not include retrofits for existing buildings.
	Facilitate deployment of renewable energy production and distribution and energy storage on privately owned land uses (e.g., permit streamlining, information sharing)	**Not Applicable.** This is a city-wide strategy thus is not applicable to the Project.
	Deploy renewable energy production and energy storage directly in new public projects and on existing public facilities (e.g., solar photovoltaic systems on rooftops of municipal buildings and on canopies in	**Not Applicable.** The Project does not include the construction of canopies or buildings. As such, no solar photovoltaic

	public parking lots, battery storage systems in municipal buildings)	systems or battery storage systems are proposed.

Consistency with the MCAG RTP/SCS

The Merced CAG's 2018 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) includes a series of goals for the region that would reduce GHG emissions based on the land use consistency and the reduction of vehicle trips. Most goals and policies are implemented at the regional or city level. Since the proposed Project will be subject to local regulations, the Project would be consistent with goals and policies identified in the RTP/SCS.

Consistency with the Atwater General Plan

The Project complies with the General Plan goals and policies listed in the Environmental Settings since it is generally compliant with the SJVAPCD air quality attainment plans.

In conclusion, the Project contains features that would reduce GHG emissions in compliance with CARB 2022 Climate Change Scoping Plan, MCAG RTP/SCS, and the General Plan. As such, the Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and therefore the impact would be less than significant.

4.8.3 Mitigation Measures

None required.

4.9 HAZARDS AND HAZARDOUS MATERIAL

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

4.9.1 Environmental Setting

For the purposes of this section, the term “hazardous materials” refers to "injurious substances," which include flammable liquids and gases, poisons, corrosives, explosives, oxidizers, radioactive materials, and medical supplies and waste. These materials are either generated or used in various commercial and industrial activities. Hazardous

wastes are injurious substances that have been or will be disposed of. Potential hazards arise from the transport of hazardous materials, including leakage and accidents involving transporting vehicles. There also are hazards associated with the use and storage of these materials and waste. Hazardous materials are grouped into the following four categories based on their properties:

- Toxic: causes human health effect
- Ignitable: has the ability to burn
- Corrosive: causes severe burns or damage to materials
- Reactive: causes explosions or generates toxic gases

"Hazardous wastes" are defined in California Health and Safety Code *Section 25141(b)* as wastes that: "…because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause or significantly contribute to an increase in mortality or an increase in serious illness or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed." Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. If improperly handled, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Code of Regulations, Title 22, *Sections 66261.20-24* contains technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

Hazardous waste generators may include industries, businesses, public and private institutions, and households. Federal, state, and local agencies maintain comprehensive databases that identify the location of facilities using large quantities of hazardous materials, as well as facilities generating hazardous waste. Some of these facilities use certain classes of hazardous materials that require risk management plans to protect surrounding land uses. The release of hazardous materials would be subject to existing federal, state, and local regulations and is similar to the transport, use, and disposal of hazard materials.

Regulatory Setting

The California Environmental Protection Agency (CalEPA) was established in 1991 to protect the environment. CalEPA oversees the Unified Program through Certified Unified Program Agencies (CUPAs), which consolidates six (6) environmental programs to ensure the handling of hazardous waste and materials in California. The local CUPA in Merced County, Department of Public Health, Division of Environmental Health (MCDEH), is responsible for administering the following six (6) CUPA programs:

- Hazardous Materials Business Plan (HMBP)
- California Accidental Release Program (CalARP)
- Underground Storage Tank Program (UST)
- Aboveground Storage Tank Program (APSA)
- Hazardous Waste Generator Program
- Tiered Permitting Program

The Department of Toxic Substances Control (DTSC) is another agency in California that regulates hazardous waste, conducts inspections, provide emergency response for hazardous materials-related emergencies, protect water resources from contamination, removing wastes, etc. DTSC acts under the authority of Resource Conservation and Recovery Act (RCRA) and California Health and Safety Code. The DTSC implements the California Code of Regulations (CCR) Title 22 Division 4.5 to manage hazardous waste. Government Code *Section 65962.5* requires that DTSC shall compile and update at least annually a list of:

(1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code ("HSC").

(2) All land designated as hazardous waste property or border zone property pursuant to Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.

(3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposal on public land.

(4) All sites listed pursuant to Section 25356 of the Health and Safety Code.

(5) All sites included in the Abandoned Site Assessment Program.

This list of hazardous waste sites in California, referred to as the Cortese List, is then distributed to each city and county. According to the CCR Title 22, soil excavated from a site containing hazardous materials is considered hazardous waste, and remediation actions should be performed accordingly. Cleanup requirements are determined case-by-case by the jurisdiction.

Record Search

Pursuant to California Government Code *Section 65962.5*, the California Environmental Protection Agency (CalEPA) is required to compile, maintain, and update lists of hazardous material release on an annual basis. The California Department of Toxic Substances Control (DTSC) is responsible for maintaining the Hazardous Waste and Substances Site List (i.e., the Cortese List), which is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Hazardous material release sites are recorded in the DTSC EnviroStor and the State Water Board's GeoTracker databases. A review of the National Priorities List (NPL), EnviroStor database, and GeoTracker database was performed on September 9, 2025. [24] [25] [26] No hazardous sites are identified within or adjacent to the Project site.

4.9.2 Impact Assessment

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

[24] United States Environmental Protection Agency. 2024. Superfund: National Priorities List (NPL). Accessed September 9, 2025, https://www.epa.gov/superfund/superfund-national-priorities-list-npl
[25] Department of Toxic Substances Control. Your EnviroStor. Accessed September 9, 2025, https://dtsc.ca.gov/your-envirostor/
[26] State Water Resources Control Board. GeoTracker. Accessed September 9, 2025, https://geotracker.waterboards.ca.gov/

Less than Significant Impact. The Project proposes the installation of a pump station and underground pipeline to transport treated effluent from the wastewater treatment plant (WWTP) to either Black Rascal Creek or Bear Creek. The three (3) alternatives (i.e., Alternative 1 - Bert Crane Road Alignment, Alternative 2 - South WWTP Alignment, and Alternative 3 - Deckert Lateral Alignment) all involve similar construction and operational activities with respect to hazardous materials.

Construction

Construction activities would involve the use of fuels, lubricants, and other potentially hazardous materials associated with construction equipment. These potential impacts will be short-term and temporary and would be reduced through compliance with a comprehensive set of regulations, including EPA's oil spill prevention and preparedness regulations (e.g., Spill Prevention, Control, and Countermeasure plans), California Office of Emergency Services regulations related to hazardous materials accident prevention, California Department of Toxic Substances Control (DTSC) permitting and regulations for hazardous waste generation and handling, Merced County's environmental health regulations related to hazardous materials, and standard equipment operating practices and best management practices (BMPs) as specified in operator manuals and construction management plans. Compliance would ensure that future development does not expose the public or environment to hazardous materials through routine transport, use, or disposal. Therefore, construction impacts are considered less than significant.

Operations

During operations, the routine use of hazardous materials would be primarily associated with minor maintenance activities at the new pump station. These materials would include small quantities of lubricants, cleaning agents, and other chemicals necessary for equipment upkeep. The routine transport, use, and disposal of these materials would be minimal and would not pose a significant risk to the public or the environment.

For these reasons, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and a less than significant impact would occur.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant Impact. As described under criterion a), the Project is not anticipated to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, a less than significant impact would occur.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. There are no existing or proposed schools within one-quarter mile of the Project. Additionally, as described under criteria a) and b) above, the Project is not anticipated to emit hazard emissions or handle hazardous materials, substances, or water that would pose a risk or threat to the school or surrounding area. Therefore, no impact would occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. According to NPL, EnviroStor, and GeoTracker, the Project site does not include a hazardous material release site. Since there are no active hazardous material release sites on the Project site pursuant to Government Code *Section 65962.5*, the Project would not create a significant hazard to the public of the environment and there would be no impact.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No Impact. The nearest public airport or public use airport is the Merced Regional Airport located approximately six (6) miles east of the Project site. According to the Merced County Airport Land Use Compatibility Plan, the Project site is not within an Airport Influence Area (AIA). [27] Because the Project is not located within an airport land use plan or is within two (2) miles of an airport, there would not be a safety hazard for people residing or working in the Project site and no impact would occur.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The Project would not involve any new or altered infrastructure associated with evacuation, emergency response, and emergency access routes within the City of Atwater or County of Merced. Construction may require lane closure; however, these activities would be short-term and access would be maintained through standard traffic control. Following construction, all roadways would continue to provide access as existing. Therefore, through compliance, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and impacts would be less than significant.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Less than Significant Impact. The Project site is not situated in a wildland or a CalFire-designated Fire Hazard Severity Zone (FHSZ). The Project site is within Local Responsibility Area (LRA), meaning the financial responsibility of preventing and suppressing wildfires is primarily the responsibility of Merced County (Unincoporated). [28] The flat terrain, lack of wildland vegetation, absence of prevailing winds that would exacerbate fire risk, and location outside a FHSZ reduces wildfire risk and the potential to expose people or structures to wildland fires. In addition, the Project consist of underground improvements and a pump station, neither of which involves activities that would significantly increase the risk of fire. While the risk is low, the Project would be constructed in compliance with the

[27] County of Merced. (2012). Merced County Airport Land Use Compatibility Plan. Accessed September 9, 2025, https://web2.co.merced.ca.us/pdfs/planning/aluc/alucp_july2012/2012_mer_alucp_entire_document.pdf
[28] Cal Fire. Fire Hazard Severity Zones. Accessed September 9, 2025, https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones

CBC and local fire safety regulations, including the California Fire Code, which include measures to minimize fire risk. As such, the Project would have a less than significant impact.

4.9.3 Mitigation Measures

None required.

4.10 HYDROLOGY AND WATER QUALITY

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	X			
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	X			
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
	i. Result in a substantial erosion or siltation on- or off-site;			X	
	ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site:			X	
	iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
	iv. Impede or redirect flood flows?			X	
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

4.10.1 Environmental Setting

The Project site is within city limits and would be connected to the city's water and stormwater services. The city's water and stormwater services are described as follows.

Water

The City provides water service for residences, commercial establishments, manufacturing plans, institutional facilities, and parks within the city limits. The City operates nine (9) wells to provide water to its customers. All wells are located within the City except for Well #21, which is located at the northeast corner of the Castle Airport facility adjacent to the U.S. Federal prison. [29] In 2016, the City produced an average of eight million gallons per day (mgd). The system has a capacity to pump 15,388 gallons per minute (gpm) and two (2) million gallons of storage. As of 2016, the system serves approximately 6,800 residential connections, 520 commercial connections, six (6) industrial connections, and 45 irrigation connections. [30] The water is distributed through a grid system of pipelines ranging from four (4) to 14 inches in diameter. The system supplies the City with drinking water and provides water for fire protection through fire hydrants.

The City has an overall Supervisory Control and Data Acquisition (SCADA) system that allows for remote monitoring and control of the water system via radio control. This system enhances quick response times to problem situations and fathers real-time, accurate data. The system can accurately determine water production quantities. To protect groundwater resources and minimize the future need to import water from other sources, the City and MID are engaged in efforts to reduce water consumption. New Atwater connections are metered, and per State law, un-metered connections will be metered in 2025. [31]

The city's water supply is obtained from the Merced Subbasin, which is part of the larger San Joaquin River Groundwater Basin and is regulated under the Sustainable Groundwater Management Act by the Merced Irrigation-Urban Groundwater Sustainability Agency GSA). The Merced Groundwater Subbasin Groundwater Sustainability Plan (GSP), adopted in December 2019, was developed to address the subbasin's critical overdraft and bring it into balance by 2040. The Subbasin is heavily reliant on groundwater. Of note, the City and MID are working to reduce water consumption. The City has met Assembly Bill No. 2572 requirements for water meter installation in all residences built in/after 1992; such requirements seek to reduce consumption. Implementation of the Merced Groundwater Subbasin GSP will ensure that groundwater supply is sustainability managed.

In an effort to ensure future growth on the eastern side of the City , in 2016 the City negotiated a settlement with the private Meadowbrook Water Company to relocate their "service area" from the area east of Buhach Road, north of State Highway 99 located within the City Sphere of Influence, to an area north of Santa Fe Drive and south of Cardella Road further to the northeast (the Meadowbrook Water Company was sold to Cal American Water Company in late 2016).

---

[29] City of Atwater. (2018). Drinking Water Quality Report. Accessed January 14, 2025, https://www.atwater.org/wp-content/uploads/2019/12/2017-CCR.pdf
[30] City of Atwater; EMC Planning Group, Inc. (2017). 2014-2043 5th Cycle Housing Element Update. Accessed January 14, 2025, https://www.atwater.org/city-of-atwater-2014-2023-5th-cycle-housing-element/
[31] City of Atwater. (July 2018). Drinking Water Quality Report. Accessed January 14, 2025, https://www.atwater.org/wp-content/uploads/2019/12/2017-CCR.pdf

Atwater General Plan established goals and policies related to groundwater use that would potentially influence implementation of the GSP, as listed below. The GSP anticipates that implementation of the GSP will reinforce Atwater's General Plan goals in addition to the groundwater quality monitoring and remediation described therein.

GOAL CO-1. Support efforts to monitor and remediate existing groundwater contamination within the planning area.

> *Policy CO-1.1. Encourage responsible agencies to continue monitoring and remediation of contamination of the aquifer underneath the CAADC site.*
>
> *Policy CO-1.2. Encourage the County of Merced to pursue remediation of groundwater contamination in the unincorporated portions of the Planning Area.*

GOAL CO-2. Prevent the creation of new groundwater contamination or the spread of existing contamination.

> *Policy CO-2.1. Work with the Regional Water Quality Control Board (RWQCB) to protect, improve, and enhance groundwater quality in the region.*
>
> *Policy CO-2.2. Educate the public on the proper handling and disposal of hazardous materials and household hazardous waste.*

According to the Atwater General Plan, most of the city of Atwater lies outside the 100-year floodplain designated by the Federal Emergency Management Agency (FEMA). The Seismic and Public Safety Element addresses flood hazards and dam inundation areas through several goals and policies, as listed below.

GOAL SF-4. Avoid damage to persons and property resulting from flooding.

> *Policy SF-4.1. Restrict development within the 100-year floodplain in a manner that effectively prevents damage to persons and property.*

GOAL SF-5. Reduce potential flood impacts resulting from dam failures.

> *Policy SF-5.1. Ensure that the City's Emergency Plan is updated to include dam failure inundation as a potential emergency and procedures for the efficient and orderly notification and evacuation of potential dam inundation areas.*
>
> *Policy SF-5.2. Request that the U.S. Army Corps of Engineers provide information relative to the potential dam inundation area associated with Castle Reservoir.*

Stormwater

The City of Atwater fulfill the requirements set forth by the RWQCB General Permit. The City's storm drainage system generally consists of retention basins with a discharge to a natural drain or MID canal. There are 13 detention basins and 16 storm water lift stations in the city, with pumping capacities ranging from 75 gpm to 8,000 gpm. The City has an agreement with MID for storm water discharge that includes a fee for maintenance of the canal system. MID sets a maximum rate of discharge for each development. In some situations, where service is not available, the City requires private basins to be constructed on Project sites.

4.10.2 Impact Assessment

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Potentially Significant Impact. The Project proposes the installation of a pump station and underground pipeline to transport treated effluent from the wastewater treatment plant (WWTP) to either Black Rascal Creek or Bear Creek. The three (3) alternatives (i.e., Alternative 1 - Bert Crane Road Alignment, Alternative 2 - South WWTP Alignment, and Alternative 3 - Deckert Lateral Alignment) all involve similar construction and operational activities with respect to ground water quality. Redirecting tertiary effluent via new outfalls may alter receiving water conditions (e.g., flow, temperature, nutrients, pathogens) and require new or amended RWQCB WDRs/NPDES permits. Without additional analysis, this impact is potentially significant and will be assessed in the EIR.

Overall, construction and operational impacts on water quality and waste discharge would be less than significant levels.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Potentially Significant Impact. Rerouting effluent may change recharge volumes/locations relative to the Merced Subbasin GSP. This impact is potentially significant and will be assessed in the EIR.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

Less than Significant Impact. Erosion, the process of soil being moved by wind or water, is a concern because it can lead to siltation. Siltation is the settling of sediment to the bed of a stream or lake which increases the turbidity of water. Turbid water can have harmful effects on aquatic life by clogging fish gills, reducing spawning habitat, and suppressing aquatic vegetation growth. Soil erosion and loss of topsoil can be caused by natural factors, such as wind and flowing water, and human activity.

The Project site, located on agricultural land and dirt road, consists of bare soils that are more susceptible to erosion than developed urban areas. The Project's construction activities, including grading and trenching for the new pump station and pipeline, will disturb soil. This soil disturbance creates a potential for short-term erosion and siltation on- and off-site.

The likelihood of erosion occurring during construction would be reduced through grading and surfacing, which would be subject to review and approval by the City for compliance with applicable standards. Construction of the Project would be required to comply with the Project's SWPPP, construction-related erosion controls and BMPs would be implemented to reduce potential impacts related to erosion and siltation. These BMPs would include, but are not limited to, covering and/or binding soil surfaces to prevent soil from being detached and transported by water or wind, and the use of barriers such as straw bales and sandbags to control sediment. Together, the controls and BMPs are intended to limit soil transportation and erosion. As such, the likelihood of erosion would be further reduced through compliance with regulations including the General Construction Permit, BMPs, and approved grading and drainage plans as described under criterion a). With these provisions in place, the impact on soil and topsoil by the Project would be considered less than significant.

ii. Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

Less than Significant Impact. During construction, the site's soil would be disturbed, thereby temporarily altering the natural hydrology of the site. In turn, this could increase the volume and velocity of stormwater runoff which could increase the potential for flooding on- or off-site. As previously discussed, construction would require compliance with the SWPPP, approved grading and drainage plan, and implementation of BMPs that would control runoff and manage drainage during the construction period

.Compliance would ensure that construction impacts related to the alteration of the site's natural hydrology and the potential increase in runoff that would result in flooding on- or off-site would be less than significant.

In addition, the Project would introduce only a small area of new impervious surface, limited to the concrete pad for the pump station and minor access-road improvements. This represents a negligible increase compared to the surrounding agricultural landscape. Stormwater runoff would continue to infiltrate through adjacent pervious areas, and the Project will comply with the City's approved grading and drainage standards. Therefore, the Project would have a less than significant impact.

iii. Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant Impact. The Project would result in minimal increase in the impervious surface area (e.g., concrete pad for the pump station, access roads) which will not create a substantial amount of additional runoff that could overwhelm the existing drainage systems. The surrounding land is primarily flat agricultural fields, which can absorb any minor increases in runoff. In addition, compliance with the approved grading and drainage plans would reduce the potential for the Project to cause substantial runoff.

During construction, the Project is required to follow a SWPPP with BMPs to prevent pollutants like sediment, fuels, or other hazardous materials from entering waterways. After construction, the Project's would convey clean, treated wastewater effluent into rivers instead of creating polluted runoff. Therefore, the Project's minimal contribution to runoff and its strict pollution controls would result in a less than significant impact.

iv. Impede or redirect flood flows?

Less than Significant Impact. The Project is located in a rural, agricultural area, and while it's in a floodplain (i.e., Zone A), the proposed infrastructure won't substantially alter the hydrology of the area.

The increase of impervious surfaces, as discussed above, are minimal in size compared to the surrounding agricultural land. In addition, the Project would be required to maintain the existing drainage pattern through grading and drainage plans that would be reviewed and approved by the City.

Furthermore, pipelines proposed as part of the Project would be installed underground, which would not impede surface flows. While Alternative 3 would connect pipelines to the existing Deckert Lateral culvert, it also includes improvements to increase the capacity of Deckert Lateral, which would prevent overflow and thus any potential redirection of flood flows.

Proposed outfall construction in proximity to Bear Creek or Black Rascal Creek would be subject to a Central Valley Flood Protection Board (CVFPB) encroachment permit under Title 23 regulations. As part of the permit review,

CVFPB will evaluate hydraulic and channel effects, including potential increases to flood elevations, flow diversion, scour, or changes in flow velocity, and may impose conditions to avoid or reduce such impacts. Compliance with these permit conditions will ensure that the Project does not adversely affect floodplain function or increase base-flood elevations.Because the Project's design is required to maintain existing drainage patterns and the proposed infrastructure's footprint is minimal, it will not impede or redirect flood flows. Therefore, the impact is considered less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less than Significant Impact. The Project site is designated as Zone A on the most recent Flood Insurance Rate Map (FIRM) No. 06047C0400G, dated December 2, 2008. [32] Zone A is a flood hazard area with a 1 percent annual chance of flooding and a 26 percent chance of flooding over the life of a 30-year mortgage. Zone A is generally located near rivers, lakes, and streams, and indicates a high-risk area for flooding.

While the site is located in a flood-prone area, the risks of pollutants being released due to project inundation is less than significant since the Project proposes underground pipelines and a pump station. The underground pipeline would carry treated effluent, which is non-hazardous and poses no significant pollution risk in the event of a flood. The pump station would contain materials such as fuels for backup power generation, lubricants, and electrical components; however, these materials would be stored in small quantities, within above-ground tanks or equipment structures designed with secondary containment and in compliance with applicable federal, state, and local regulations. In addition, standard design requirements for pump stations include anchoring, spill prevention, and containment measures that minimize the potential for pollutant release during flood events. As a result, the Project would have a less than significant impact as it relates to the risk release of pollutants due to project inundations.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact. The Project site is located within the jurisdiction of the Merced Irrigation-Urban GSA and is therefore subject to the Merced Groundwater Subbasin GSP adopted in 2019 and revised in 2022. As described under criterion (b) above, the Project would not decrease groundwater supplies or interfere with groundwater recharge. Therefore, it can be determined that the Project would not conflict with or obstruct implementation of water quality control plans or sustainable groundwater management plans. For these reasons, a less than significant impact would occur because of the Project.

In summary, the Project represents an overall improvement to the City's hydrologic and water-quality management systems. By replacing an unregulated land-application system with a fully permitted and monitored surface-water discharge, the Project reduces potential impacts to both groundwater and surface-water resources, ensures compliance with multiple water-quality protection programs, and maintains existing drainage and flood-control capacity. With adherence to applicable NPDES, SWPPP, and floodplain requirements, all hydrology and water-quality impacts would remain less than significant.

[32] FEMA. FEMA Flood Map Service Center: Search by Address. Accessed September 10, 2025, https://msc.fema.gov/portal/search?AddressQuery=255%20E%20Bellevue%20Rd%20Atwater%2C%20CA%2095301#searchresultsanchor

4.10.3 Mitigation Measures

None required.

4.11 LAND USE PLANNING

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Physically divide an established community?			X	
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

4.11.1 Environmental Setting

The Project site in the jurisdiction of the City of Atwater (portion) and County of Merced (portion). A portion of the Project site (APNs 056-200-025 and 056-200-026), located within the City of Atwater, has an "unclassified" General Plan land use designation, meaning there is no specific land use has been assigned. The rest of the site is within the jurisdiction of Merced County and has a land use designation of Agricultural. A portion of the Project site (APNs 056-200-025 and 056-200-026), located within the City of Atwater, is not zoned. The rest of the site is within the jurisdiction of Merced County and is zoned A-1 General Agricultural.

The Project proposes a pump station, underground pipeline, and an outfall structure to carry treated effluent from the wastewater treatment plant (WWTP) and discharge it to the Madera Irrigation District (MID) via Bear Creek or Black Rascal Creek. This Initial Study analyzes three (3) alternative alignments for the underground pipeline and supporting infrastructure (pump station, outfall structure). Under all three (3) proposed alternatives, the pump station would be located on the wastewater treatment plant property. All pipelines would be located underground, daylighting at the outfall structure on the creek bank. Easements would be required for portions of the pipeline located on privately owned properties. Under Alternative 1, the outfall structure would discharge into Bear Creek. Under Alternatives 2 and 3, the outfall structure would be discharged into Black Rascal Creek.

4.11.2 Impact Assessment

Would the project:

a) Physically divide an established community?

Less than Significant Impact. Typically, physical division of an established community would occur if a Project introduced new incompatible uses inconsistent with the planned or existing land uses or created a physical barrier that impeded access within the community. Typical examples of physical barriers include the introduction of new, intersecting roadways, roadway closures, and construction of new major utility infrastructure (e.g., transmission lines, storm channels, etc.).

The Project site is located in a rural, non-urbanized setting characterized by large agricultural fields and scattered residences, which is not part of a planned or established residential community. In addition, the Project proposes underground pipelines, which would not be visible or impede movement. The small, above-ground pump station, which would be located on the current WWTP parcel. would have a minimal footprint and is not large enough to

function as a physical barrier. For these reasons, the Project would not result in the physical division of an established community and would thereby have a less than significant impact.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact. The Project proposes to construct a pump station, underground pipeline, and an outfall structure to discharge treated effluent from the WWTP to Bear Creek or Black Rascal Creek. Generally, policy conflicts become environmental impacts when they result in direct physical impacts or where those conflicts relate to avoiding or mitigating environmental impacts. As such, associated physical environmental impacts are discussed in this document under specific topical sections, such as Biological Resources, Cultural Resources, and Tribal Cultural Resources. The Project would not conflict with any land use plan, policy, or regulation and impacts would be less than significant.

4.11.3 Mitigation Measures

None required.

4.12 MINERAL RESOURCES

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

4.12.1 Environmental Setting

For the purposes of CEQA, mineral resources are land areas or deposits deemed significant by the California Department of Conservation (DOC). Mineral resources include oil, natural gas, and metallic and nonmetallic deposits, including aggregate resources. The California Geological Survey (CGS) classifies and designates areas within California that contain or potentially contain significant mineral resources. Lands are classified into Aggregate and Mineral Resource Zones (MRZs), which identify known or inferred significant mineral resources. According to the California Department of Conservation, CGS's Surface Mining and Reclamation Act (SMARA) Mineral Lands Classification (MLC) data portal, the Project site is not within an aggregate resource area (ARA) nor are there aggregate mines in the City of Atwater. [33] In addition, the Project site is not within a CalGEM-recognized oilfield and there are no oil and gas wells on-site. [34]

4.12.2 Impact Assessment

Would the project:

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. There are no identified mineral deposits of significance or active mine operations within the Project site. Therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, no impact would occur.

b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

No Impact. There are no identified mineral deposits of significance or active mine operations within the Project site. As a result, the Project would not result in the loss of availability of a known mineral resource that would be of value

[33] California Department of Conservation. (2025). Mineral Lands Classification. Accessed on May 23, 2025, https://maps.conservation.ca.gov/cgs/minerals/?page=Mineral-Land-Classification

[34] California Department of Conservation. Well Finder. Accessed on May 23, 2025, https://maps.conservation.ca.gov/doggr/wellfinder/

to the region and the residents of the state. Further, the Project site is not delineated in the General Plan, a Specific Plan, or other land use plan as a locally important mineral resource recovery site, thus it would not result in the loss of availability of a locally important mineral resource. Therefore, no impact would occur.

4.12.3 Mitigation Measures

None required.

4.13 NOISE

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b)	Generation of excessive groundborne vibration or groundborne noise levels?			X	
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

4.13.1 Environmental Setting

In general, there are two (2) types of noise sources: 1) mobile source and 2) stationary sounds. Mobile source noises are typically associated with transportation including automobiles, trains, and aircraft. Stationary sounds are sources that do not move such as machinery or construction sites. Two (2) noise generating activities of the Project would include construction (short-term, temporary) and operational (long-term) noise.

Sensitive land uses include residential, schools, churches, nursing homes, hospitals, and open space/recreation areas. Commercial, farmland, and industrial areas are not considered noise sensitive and generally have higher tolerances for exterior and interior noise levels. The nearest sensitive land uses are the rural, single-family residences located on S Bert Crane Road, south of the WWTP and along the Oak Avenue alignment, east of the WWTP.

The Atwater General Plan Noise Element and Atwater Municipal Code *Chapter 8 – Health and Safety* outlines policies and regulations to mitigate health effects of noise in the community and prevent exposures to excessive noise levels. Specific to residential uses in the city of Atwater, 55-60 dB is an acceptable level of community noise exposure. Anything above 75 dB is considered to be generally unacceptable. [35]

[35] General Plan, Figure 13.1 Land Use Compatibility Guidelines for Development, 1990

The Merced County General Plan Health and Safety Element and Merced County Code *Chapter 10.60 – Noise Regulations* outlines policies and regulations to mitigate health effects of noise in the County and prevent exposures to excessive noise levels. Section 10.60.030(A) of the Merced County Code states that limitations to sound level within the County are as follows:

"No person shall cause, suffer, allow, or permit the operation of any sound source on private property in such a manner as to create a sound level that results in any of the following, when measured at or within the real property line of the receiving property:

1. Exceeds the background sound level by at least 10 dBA during daytime hours (seven a.m. to ten p.m.) and by at least five dBA during nighttime hours (ten p.m. to seven a.m.). The background sound level for purposes of this section shall be determined as set forth in Section 10.60.060; or

2. Exceeds 65 dBA Ldn on residential real property or 70 dBA Ldn on nonresidential real property; or

3. Exceeds 75 dBA Lmax on residential real property or 80 dBA Lmax on nonresidential real property."

Existing Ambient Noise Environment

The Project vicinity includes the Regional Bert Crane WWTP, agricultural fields, and rural residential residences. As such, the site's existing noise environment is generally low, consisting of the operations of the WWTP, agricultural operations, vehicular traffic, and natural sounds. Associated noise from the WWTP includes hydraulic pumps, fans, flowing water, and back-up generators. Associated noise from agricultural operations include heavy machinery (e.g., tractors), which are generally seasonal, and animals. The Project site is not located within the Airport Influence Area (AIA) of either Castle Airport or Merced Regional Airport, nor is it within either airport's CNEL noise contour.

Construction Noise Exposure

Construction phases would include site preparation, grading, and paving. Of all construction phases, it is anticipated that trenching and backfilling would produce the loudest noise. Short-term construction noises also include traffic noise generated from transporting construction equipment and materials and construction worker commuting. These activities would temporarily raise noise levels near the site. Ambient noise from construction activities would cease upon completion of construction.

4.13.2 Impact Assessment

Would the project:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?

Less than Significant Impact. Noise generating activities of the Project would include traffic noise and stationery-source noise, such as operations and construction as described below. It is not anticipated that the Project would generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards, given the type of development proposed (i.e., underground pipeline and pump station).

Traffic Noise Exposure

Mobile source noises are typically associated with transportation including automobiles, trains, and aircraft. Sensitive land uses include residential, schools, churches, nursing homes, hospitals, and open space-recreation areas. Commercial, farmland, and industrial areas are not considered noise sensitive and generally have higher tolerances for exterior and interior noise levels. The nearest sensitive land uses are rural, single-family residences. Alternatives 1 and 2 would run adjacent to a rural residence approximately 0.25 miles south of the WWTP. Alternative 3 would run adjacent to multiple rural residences along the Oak Avenue alignment, approximately 0.70 miles northeast of the WWTP.

The nearest roadways to/within the Project site are South Bert Crane Road to the west and the Oak Avenue alignment to the north. The primary source of on-going traffic noise from the proposed Project will be from vehicles occasionally travelling to the Project site for maintenance purposes. However, the relatively low number of vehicles and low frequency of trips is not likely to increase the ambient noise levels by a significant amount. As such, it is expected that the traffic noise levels will increase minimally and will not cause a significant impact.

Operational Noise Exposure

The only operational noise expected to be generated by the proposed Project would come from the pump station located on the WWTP property. The pump station would be located along the western boundary for Alternatives 1 and 2 and along the northern boundary for Alternative 3. Since the pump stations would be located on the existing WWTP property, which already contains similar pumping equipment, the proposed pump will not introduce a new significant source of noise that isn't already occurring in the area. Additionally, neither of the two potential pump locations would be located near sensitive land uses. As such, it is expected that the operational noise generated by the Project will be minimal and most likely not cause significant impact to existing uses.

Construction Noise Exposure

Construction noise will result from construction activities through the use of construction equipment for grading the site, digging and filling the trenches, and installing the pipeline. Construction phases would include site preparation, grading, trench digging, pipeline installation, trench backfilling, and outfall structure construction. Of all construction phases, it is anticipated that trenching would produce the loudest noise.

Construction noise was estimated using the FHWA Roadway Construction Noise Model (RCNM) Version 1.0. For the purpose of this noise assessment, general construction equipment, including mixers, graders, pavers, paving equipment, rollers, dozers, and tractors, are included in the construction noise modeling. The nearest sensitive land uses to the Project site are the rural single-family residences located along the Oak Avenue alignment. The nearest single-family residence is approximately 50 feet from the Project site. According to existing land use within and around the Project site, the baseline and receptors that are analyzed in the RCNM are shown in Table 4-7.

Table 4-7 Receptors and Baseline Analyzed in the RCNM

Location	Land Use	Total dB L_{eq} *
50 feet to the north	Residential	79.8

** This number estimates noise when all equipment is used at the same time.*

Short-term construction noises include traffic noise generated from transporting construction equipment and materials and construction worker commuting. These activities would raise noise levels near the site. According to modeling of the FHWA RCNM Version 1.0, construction noise generated from the offroad equipment is estimated to be 79.8 dB L_{eq} at 50 feet, if all equipment was used at the same time. Ambient noise from construction activities

would cease upon completion of construction. Since the City of Atwater does not have a threshold for construction noise, the construction noise assessment is done for informational purposes.

Although the nearby residential uses would experience elevated noise levels from construction, these activities would be temporary and would generally take place in accordance with AMC *Section 8.44.050* which regulates permissible hours of construction between the hours of 7:00 am and 7:00 pm, Monday through Friday, and 9:00 am and 5:00 pm, Saturdays and Sundays.

Overall, Project construction is not expected to result in a significant impact because the noise would be regulated by the AMC. Noise would thereby be generated during daylight hours and not during evening or more noise-sensitive time periods; and the increase in noise would cease upon completion of the Project. For these reasons, a less than significant impact would occur.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact. Ground borne vibration may result from operations and/or construction, depending on the use of equipment (e.g., pile drivers, bulldozers, jackhammers, etc.), distance to affected structures, and soil type. Depending on the method, equipment-generated vibrations could spread through the ground and affect nearby buildings. It is not anticipated that the Project would generate excessive ground borne vibration or ground borne noise levels, given the type of development. Further, construction or operation of the Project would not involve equipment that would generate substantial groundborne vibration of ground borne noise levels. As discussed under criterion a), project-generated stationary noise sources would be regulated by the AMC. Through compliance with the AMC, the Project would result in a less than significant impact.

c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The nearest public airport to the Project site is Merced Regional Airport which is approximately six (6) miles east of the Project site. According to the Merced County Airport Land Use Compatibility Plan (2012), the Project site is located outside of the airport's Airport Influence Area (AIA) and noise contours and is therefore not subject to land use compatibility policies. [36] Therefore, the Project would have no impact.

4.13.3 Mitigation Measures

None required.

[36] County of Merced. (2012). Merced County Airport Land Use Compatibility Plan. Accessed on May 23, 2025, https://www.co.merced.ca.us/406/Airport-Land-Use-Commission

4.14 POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

4.14.1 Environmental Setting

CEQA Guidelines *Section 15126.2(d)* requires that a CEQA document discusses the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. The CEQA Guidelines provide an example of a major expansion of a wastewater treatment plant that may allow for more construction within the service area. The CEQA Guidelines also note that the evaluation of growth inducement should consider the characteristics of a project that may encourage or facilitate other activities that could significantly affect the environment. Direct and Indirect Growth Inducement consists of activities that directly facilitate population growth, such as construction of new dwelling units. A key consideration in evaluating growth inducement is whether the activity in question constitutes "planned growth."

4.14.2 Impact Assessment

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. The proposed Project includes construction of a pump station and installation of pipeline to carry treated effluent from the Bert Crane Regional Wastewater Treatment Plant (WWTP) to the Merced Irrigation District (MID) via Black Rascal Creek or Bear Creek. The Project would install new wastewater infrastructure; however, the Project would not increase capacity of the existing WWTP, and would therefore not induce population directly or indirectly. Instead, the Project would divert existing flows to the MID to assist in groundwater discharge. Therefore, no impact would occur as a result of the Project.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. There are no existing people or housing within the Project site. Therefore, the Project would not result in the physical displacement of existing people or housing and would not necessitate construction of replacement housing. No impact would occur because of the Project.

4.14.3 Mitigation Measures

None required.

4.15 PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?			X	
ii. Police protection?			X	
iii. Schools?				X
iv. Parks?				X
v. Other public facilities?				X

4.15.1 Environmental Setting

Fire Protection Services

Fire protection services in the County of Merced are provided by the Merced County Fire Department (MCFD). MCFD operates 4 battalions with 19 total fire stations. Battalion 16 has 4 fire stations: Station 61 Atwater, Station 63 Winton, Station 64 Cressey, and Station 65 Snelling. Battalion 17 operates 5 stations: Station 71 Los Banos, Station 72 Santa Nella, Station 74 Gustine, Station 75 Dos Palos WYE, and Station 76 Dos Palos. Battalion 18 operates Station 81 Merced, Station 83 El Nido, Station 84 Le Grand, Station 85 Mckee, and Station 86 Planada.

Fire protection services in the City of Atwater are provided by Cal Fire; the City also has a mutual aid agreement with the City of Merced that was established in 1993. The City of Atwater operates two (2) fire stations: Station 41 at 699 Broadway Avenue and Station 42 at 2006 Avenue Two. In 2017, the City updated the Municipal Service Review and cited a response time of less than seven (7) minutes for 90 percent of responses. The Project would be reviewed by MCFD and is subject to regulations and standards such as the California Uniform Fire Code (UFC), which includes regulations on construction, maintenance, and building use.

Police Protection Services

Police protection services within the County are provided by Merced County Sheriff's Office. The Sheriff's Office operates out of the Merced Main Office/ Main Jail Facility located at 700 W 22nd Street, Merced, CA 95340. The Sheriff's Office

Police protection services within the city are provided by the Atwater Police Department. The Police Department currently operates from the main police station located at Bellevue Road. The Police Department divides the city into four (4) sectors. The Police Department reviews all projects to ensure that building and site designs consider utilization of crime prevention features and techniques.

Schools

Educational services within the City of Atwater are primarily served by Atwater Elementary School District and the Merced Union High School District. Funding for schools and school facilities impacts is outlined in Education Code Section 17620 and Government Code *Section 65995 et. Seq.*, which governs the amount of fees that can be levied against new development. These fees are used to construct new or expanded school facilities. Payment of fees authorized by the statute is deemed "full and complete mitigation."

Parks and Recreation

Park and Recreational facilities within the City of Atwater are overseen by the Public Works Department. According to the Atwater General Plan, the City's park standard is a minimum of 3.0 park acres per 1,000 population. To mitigate any impacts to park and recreational facilities, residential projects may be conditioned by the City to pay the Park and Recreation Facilities Tax in addition to any requirements of the Quimby Act.

The Atwater General Plan Land Use, Public Facilities and Community Infrastructure Element includes the following objectives and policies related to park and recreational facilities and services:

GOAL LU-23. *Develop a comprehensive strategy for parkland acquisition, construction, and maintenance which meets the community's adopted standards for recreation facilities.*

> ***Policy LU-23.1.*** *Strive to maintain or exceed a minimum standard of 3.0 acres of public park land per 1,000 population.*
>
> ***Policy LU-23.2.*** *Ensure that park and recreation facilities are distributed equitably throughout the community.*
>
> ***Policy LU-23.3.*** *Identify areas of the City that are deficient in park and recreational facilities and assign top priority for future park construction to these areas.*
>
> ***Policy LU-23.4.*** *Incorporate park and recreation facilities within the CAADC into the City's park system, as appropriate.*
>
> ***Policy LU-23.5.*** *Encourage private ownership and operation of park and recreation facilities located within the CAADC that are not incorporated into the City's system.*

4.15.2 Impact Assessment

Would the project:

a) ***Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:***

   i. ***Fire protection?***

Less than Significant Impact. The Project would be served by the Merced County Fire Department. Merced County Fire Station 61 is approximately 4.4 miles northeast of the Project site. The Project's proximity to the existing fire station would support adequate service ratios, response times, and other performance objectives for fire protection services. The Project involves installing an underground pipeline and a small, unmanned pump station. This type of infrastructure does not generate a demand for new fire services since the Project would not add new residents or increase the population of the area. The completed pump station would have a minimal fire risk, primarily limited to electrical components, which will be built to fire code standards to minimize risk. Therefore, a less than significant impact would occur.

ii. Police protection?

Less than Significant Impact. The Project will be served by the Merced County Sheriff's Office. The Project site is approximately 8.5 miles west of the Office's Main Office. The Project site is a small, public utility site that is not open to the public. It would be secured with fencing and would not generate a demand for police services beyond what is typical for any public utility. Therefore, it can be determined that the Project can be served by existing facilities and would not result in the need for new or altered facilities and as a result, a less than significant impact would occur.

iii. Schools?

No Impact. The Project is not a residential development that would induce growth to the area that would impact schools. Therefore, the Project would not result in the need for new expanded school facilities and as a result, there would be no impact.

iv. Parks?

No Impact. The Project is not a residential development that would induce growth to the area that would impact parks. As such, the Project would no result in the need for expanded park facilities and there would be no impact.

v. Other public facilities?

No Impact. Due to the nature of the Project, pump station and underground pipeline, the proposed Project will not result in an increase in population. Therefore, there would be no increased demand for other public services, such as courts, libraries, hospitals, etc., that would result in the need for new or expanded government facilities. Therefore, the Project would have no impact.

4.15.3 Mitigation Measures

None required.

4.16 RECREATION

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

4.16.1 Environmental Setting

See Section 4.15

4.16.2 Impact Assessment

Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. The Project would include construction of a pump station and underground pipeline to carry treated effluent from the wastewater treatment plant to the Merced Irrigation District (MID) via Black Rascal Creek or Bear Creek. The Project would not result in new residents that would increase the utilization of existing parks or other recreational facilities. For these reasons, no impact would occur.

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

No Impact. The Project does not include any recreational facilities; nor would it require the construction or expansion of recreational facilities. As such, the Project would have no impact.

4.16.3 Mitigation Measures

None required.

4.17 TRANSPORTATION

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b)	Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			X	
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d)	Result in inadequate emergency access?			X	

4.17.1 Environmental Setting

The Project site for the pump station, which is proposed along the eastern boundary (Alternatives 1 and 2) or northern boundary (Alternative 3) of the Bert Crane Regional Wastewater Treatment Plant (WWTP) parcel (APN 056-200-026), is currently vacant with no improvements or structures. The Project site for underground pipelines includes dirt roads between agricultural operations and South Bert Crane Road, a paved two (2)-lane roadway with no improvements (i.e., curb, gutter, sidewalks).

CEQA Guidelines

Under Senate Bill 743 (SB743), traffic impacts are related to Vehicle Miles Traveled (VMT). The VMT metric became mandatory on July 1, 2020. Senate Bill (SB) 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as vehicle miles traveled (VMT) instead of Level of Service (LOS). VMT measures how much actual automobile travel (additional miles driven) a proposed Project would create on California roads. If the project adds excessive automobile travel onto roads, then the project may cause a significant transportation impact. Therefore, LOS measures of impacts on traffic facilities are no longer relevant CEQA criteria for transportation impacts.

To implement SB 743, the CEQA Guidelines were amended by adding *Section 15064.3*. According to *Section 15064.3*, VMT measures the automobile travel generated from a proposed project (i.e., the additional miles driven). Here, 'automobile' refers to on-road passenger vehicles such as cars and light-duty trucks. If a proposed project adds excessive automobile travel on California roads thereby exceeding an applicable threshold of significance, then the project may cause a significant transportation impact.

Among its provisions, *Section 15064.3(b)* establishes criteria for analyzing transportation impacts. Specifically, *Section 15064.3(b) (1)* establishes a less than significant presumption for certain land use projects that are proposed

within ½-mile of an existing major transit stop or along a high-quality transit corridor. If this presumption does not apply to a land use project, then the VMT can be qualitatively or quantitatively analyzed.

In the case that quantitative models or methods are not available to the lead agency to estimate the VMT for the project being considered, provisions of CEQA Guidelines *Section 15064.3(b)(3)* permits the lead agency to conduct a qualitative analysis. The qualitative analysis may evaluate factors including but not limited to the availability of transit, proximity to other destinations, and construction traffic.

Lastly, *Section 15064.3(b)(4)* of the CEQA Guidelines states that *"[a] lead agency has discretion to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section."*

SB 743 Technical Advisory

In April 2018, the Governor's Office of Planning and Research (OPR) issued the Technical Advisory on Evaluating Transportation Impacts in CEQA ("Technical Advisory" or "TA") (revised December 2018) to provide technical recommendations regarding VMT, thresholds of significance, and mitigation measures for a variety of land use project types.

The Technical Advisory includes screening thresholds for agencies to use in order to identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study.

- *Screening Thresholds for Small Project.* Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant transportation impact. This threshold is based on a CEQA categorical exemption for existing facilities, including additions to existing structures of up to 10,00 square feet, so long as the project is in an area where public infrastructure is available to allow for maximum planned development and the project is not in an environmentally sensitive area.
- *Map-Based Screening Threshold for Residential and Office Projects.* Residential and office projects that locate in areas with low VMT, and that incorporate similar features (i.e., density, mix of uses, transit accessibility), will tend to exhibit similarly low VMT. Maps created with VMT data, for example from a travel survey or a travel demand model, can illustrate areas that are currently below threshold VMT. Because new development in such locations would likely result in a similar level of VMT, such maps can be used to screen out residential and office projects from needing to prepare a detailed VMT analysis.
- *Presumption of Less Than Significant Impact Near Transit Thresholds.* Proposed CEQA Guideline Section 15064.3, subdivision (b)(1), states that lead agencies generally should presume that certain projects (including residential, retail, and office projects, as well as projects that are a mix of these uses) proposed within ½ mile of an existing major transit stop or an existing stop along a high quality transit corridor will have a less-than-significant impact on VMT. This presumption would not apply, however, if project-specific or location-specific information indicates that the project will still generate significant levels of VMT.

- *Presumption of Less Than Significant Impact for Affordable Residential Development.* Adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT. Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less-than-significant impact on VMT.

According to the TA, lead agencies, using more location-specific information, may develop their own more specific thresholds, which may include other land use types.

MCAG VMT Thresholds and Guidelines

In 2022, Merced County Association of Governments (MCAG) adopted VMT Thresholds and Implementation Guidelines for the seven (7) jurisdictions: City of Atwater, City of Dos Palos, City of Gustine, City of Livingston, City of Los Banos, City of Merced, and the County of Merced. The Guidelines include project screening criteria, methodologies for estimating project specific VMT, regional and local thresholds, and VMT mitigation strategies. [37] The project screening criteria listed in the Guidelines are similar to those identified in the TA, including:

- Project is within a Transit Priority Area/High Quality Transit Corridor: within 0.5 miles of a transit stop, consistent with RTP/SCS, FAR >0.75, limited parking, does not reduce the number of affordable housing units.
- Project is a Local-Serving Retail less than 50,000 sf.
- Project is a Low Trip Generator: less than 1,000 ADT for projects consistent with the General Plan and less than 500 ADT for projects inconsistent with the General Plan.
- Project is 100% Affordable Housing Units.
- Project is Institutional or Government and Public Service Uses.
- Project is located in Low VMT Zones.

If the project does not meet any of the screening criteria listed above, the project is subject to further analysis using the MCAG Travel Demand Model (TDM).

Atwater General Plan

The General Plan identifies the following goals and policies applicable to the project.

GOAL CIRC-1. *Maintain adopted Level of Service (LOS) for City streets and intersections.*

> ***Policy CIRC-1.1*** *Establish and maintain a minimum LOS of D for all arterial and collector streets within the City.*
>
> ***Policy CIRC-1.2.*** *Establish intersection LOS standards when more specific intersection traffic data becomes available.*
>
> ***Policy CIRC-1.3.*** *Design roadway improvements and evaluate development projects using established LOS standards.*

[37] Merced County Association of Governments. (2022). VMT Thresholds and Implementation Guidelines. Accessed May 23, 2025, https://www.mcagov.org/DocumentCenter/View/3872/MCAG-SB-743-VMT-Thresholds-and-Implementation-Guidelines_11-10-2022?bidId=

Policy CIRC-1.4. Develop the City's roadway system in conformance with the planned roadway system shown on the Circulation Plan and the City's adopted cross section standards.

Policy CIRC-1.5. Access for land uses adjacent to Castle Parkway will be provided by frontage roads which parallel the Parkway. Direct access to the Parkway will be limited to the primary east-west corridors in the area.

GOAL CIRC-5 Provide sufficient parking for all commercial, industrial, residential, and other uses, either off-street or on-street as appropriate.

Policy CIRC-5.1 Require that all new development provides sufficient on- or off-street parking to meet the standards of the City's Zoning Code or any other applicable planning document (such as the Downtown Specific Plan).

GOAL CIRC-8 Provide a safe and efficient pedestrian circulation system which connects residential areas, schools, and commercial areas with parking lots and public transportation.

Policy CIRC-8.1 Require new public and private development and infrastructure projects to include sidewalks or on-site pedestrian features.

4.17.2 Impact Assessment

Would the project:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. The proposed Project would be required to comply with all project-level requirements implemented by a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The Project would be reviewed by the City and County to ensure compliance with the applicable General Plan, Arvin Municipal Code, Merced County Code, and other policies regarding traffic. In addition, the proposed Project would not affect the current roadway system through the installation of the underground pipeline within the right-of-way. Given that the Project does not re-configure the city's circulation system, the Project would not conflict with any applicable plan (including the RTP), ordinance, or policies establishing measures of effectiveness for the performance of the circulation system. Impacts would be less than significant.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact. SB 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as VMT instead of LOS. MCAG VMT Thresholds and Guidelines (2022) adopted a screening criterion that can be used to screen out qualified projects that meet the adopted criteria from needing to prepare a detailed VMT analysis. According to the Guidelines, the proposed Project screens out as a Government or Public Service use. Additionally, the proposed Project, by its nature, is not expected to generate additional trips or VMT. Therefore, the Project would not conflict with CEQA Guidelines *Section 15064.3(b)* and impacts would be less than significant.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Project design does not contain any geometric design features that would create hazards. Implementation of the Project would not require the improvement and expansion of the roadway network within the Project site. The proposed pipeline would be installed underground; thus, the Project would not physically interfere with the existing circulation system during operations. Furthermore, all public right-of-way and dirt roads affected during construction would be returned to pre-project conditions. As a result, implementation of the Project would have no impact related to hazards due to roadway design features or incompatible uses.

d) Result in inadequate emergency access?

Less than Significant Impact. The Project does not involve a change to any emergency response plan. In the case that Project construction requires lane closures, access through existing roadways would be maintained through standard traffic control and therefore, potential lane closures would not affect emergency evacuation plans. Thus, a less than significant impact would occur because of the Project.

4.17.3 Mitigation Measures

None required.

4.18 TRIBAL CULTURAL RESOURCES

Would the project: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or,			X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1. In applying the criteria set forth in subdivision (c) of PRC section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

4.18.1 Environmental Setting

See Section 4.5.

California Native American Heritage Commission (NAHC)

A consultation list of tribes with traditional lands or cultural places located within Merced County was requested and received from the California Native American Heritage Commission (NAHC) on May 12, 2025. The listed tribes include Amah Mutsun Tribal Band, Northern Valley Yokut/ Ohlone Tribe, Southern Sierra Miwuk Nation, Tule River Indian Tribe*, and Wuksachi Indian Tribe/ Eshom Valley Band. **Federally recognized tribe.* The NAHC also conducted a Sacred Lands File (SFL) check which received negative results. Correspondence is provided in Appendix D.

AB 52 Tribal Consultation

The City of Atwater conducted formal tribal consultation pursuant to AB 52 (Chapter 532, Statutes 2014) on June 2, 2025, to the aforementioned tribes. Consultation for AB 52 ended on July 2, 2025. No responses were received.

4.18.2 Impact Assessment

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is

geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

No Impact. In accordance with Assembly Bill (AB) 52 (Public Resources Code *Sections 21080.3.1–21080.3.2*), the City of Atwater notified all traditionally and culturally affiliated California Native American tribes of the Project and invited them to consult. No tribes requested consultation within the statutory 30-day response period.

A search of available records and background information indicates that no tribal cultural resources listed or eligible for listing in the California Register of Historical Resources or a local register have been identified within the Project site. The Project site is highly disturbed due to existing agricultural uses and roadway corridors.

Because no tribes requested consultation, and no listed or eligible tribal cultural resources have been identified within the Project site, the Project would not cause a substantial adverse change in the significance of a listed or eligible tribal cultural resource (TCR).

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less than Significant Impact. Although the Project site contains disturbed soils and no tribe requested consultation, CEQA requires the lead agency to consider whether the project could affect previously unknown tribal cultural resources that may qualify as significant under Public Resources Code *Section 5024.1(c)*. The Project involves trenching for new 18-inch pipelines, installation of valves and appurtenances, construction of a pump station, and construction of new outfall structures. These improvements would occur along previously disturbed roadways, agricultural lands, and canal corridors.

Given the absence of tribal consultation requests, and the lack of any identified TCRs, there is no substantial evidence that the Project site contains TCR that would meet the criteria of PRC *Section 5024.1(c)*. However, as with all ground-disturbing projects in the Central Valley, there remains low potential for the inadvertent discovery of previously unknown resources.

Standard conditions of approval applicable to all City of Atwater discretionary projects require that work pause and an evaluation occur if cultural resources are unexpectedly encountered during construction. Compliance with these requirements ensures that any previously unknown TCRs discovered during construction would be appropriately evaluated and treated in coordination with the City.

Because no tribes requested AB 52 consultation and no potential TCRs have been identified, and because standard City procedures ensure appropriate treatment of any inadvertent discoveries, the Project would not result in a substantial adverse change in the significance of a tribal cultural resource.

4.18.3 Mitigation Measures

None required.

4.19 UTILITIES AND SERVICE SYSTEMS

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?			X	
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
d)	Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

4.19.1 Environmental Setting

The proposed Project includes a pump station and underground pipeline to carry treated effluent discharge from the wastewater treatment plant to the Madera Irrigation District (MID) via Black Rascal Creek or Bear Creek. The Project would connect into the existing 42" force main with a tee fitting with an 18" pipeline and carry the treated effluent to an outfall structure on the creek embankment.

Water

Water supply, usage, and services are described in Section 4.10.

Wastewater

The City provides sewage disposal and treatment using a pipeline system, pump stations, and a wastewater treatment plant (WWTP) facility. The new WWTP, constructed in 2012, is located west of State Route 99 on Bert

Crane Road and can handle an average flow up to six (6) million gallons per day (MGD). The wastewater treatment plant (WWTP) is owned by the City but operated by a private contractor, Veolia Water North America, West. The 2020 average daily flow was 3.3 mgd, which is approximately 54% of the current average daily permitted flow. The WWTP receives and treats wastewater from the City as well as the United States Penitentiary of Atwater, Winton Water and Sanitary District (WWSD) and Castle Airport. [38]

Solid Waste

Solid waste in the city is collected by a private contractor, Mid Valley Disposal, and then transported and disposed in one (1) of two (2) Merced County Landfills. The Merced County Association of Governments (MCAG) is responsible for managing and implementing regional solid waste disposal services, known as the Merced County Regional Waste Management Authority (RWA). The RWA owns and operates the two (2) regional landfills within Merced County and administers integrated waste management contracts and grants on behalf of member jurisdictions.

Stormwater

Stormwater services are described in Section 4.10.

Natural Gas and Electricity

Major electrical transmission lines run through the northern and southern portions of the city. Electrical service within the City is provided by the Merced Irrigation District and PG&E. PG&E also provides natural gas service within the City. State Route 99 contains a major natural gas main and crude oil pipeline. There is an offshoot pipeline that travels north through Atwater along Winton Way.

4.19.2 Impact Assessment

Would the project:

a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Less than Significant Impact. The Project proposes the installation of a pump station and underground pipeline to transport treated effluent from the existing Bert Crane Regional wastewater treatment plant (WWTP) to either Black Rascal Creek or Bear Creek. The purpose of the Project is to meet groundwater requirements recharge under SGMA. While the Project involves the construction of new wastewater facilities, its construction would not cause significant environmental effects. As discussed throughout this Initial Study, Project impacts (e.g., air quality, biological resources, etc.) are less than significant since only minor extensions are proposed.

The Project would not require the construction of water, storm water drainage, natural gas, or telecommunications facilities. The pump station would require electricity; however, electrical service would be provided from existing

[38] City of Atwater (2022). 2020 Urban Water Management Plan. Accessed June 2, 2025, https://www.atwater.org/wp-content/uploads/2022/04/Final-2020-Urban-Water-Management-Plan.pdf

overhead power distribution lines. Additionally, electricity demand would be minimal such that new and/or expanded infrastructure would not be required. Therefore, the Project would have a less than significant impact.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

No Impact. The Project proposes the installation of a pump station and underground pipeline to transport treated effluent. There is no potable water demand for the Project's operation, as the system is designed to handle treated wastewater. Any minor water needs during construction (e.g., for dust control) would be temporary and would not substantially impact the City's overall water supply. Since the Project would not require the provision of water, there would be no impact on water supplies.

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No Impact. The Project proposes the installation of a pump station and underground pipeline to transport treated effluent, which would not create any wastewater during operations. Therefore, no impact would occur.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact. The Project proposes the installation of a pump station and underground pipeline to transport treated effluent. Construction will produce temporary solid waste from packaging and other debris. This waste will be handled and disposed of in accordance with all state and local regulations. Project operations include an unmanned facility (i.e., pump station) that would generate a small amount of solid waste, primarily from periodic maintenance activities. Due to the small volume of waste generated, the Project would have a less than significant impact.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact. The Project would be required to comply with state and local law which include management and reduction statutes and regulations to ensure that solid waste is handled, transported, and disposed of accordingly. Through compliance with local and state law, it can be determined that the Project would also comply with federal, state, and local management and reduction statutes and regulations related to solid waste. As a result, a less than significant impact would occur because of the Project.

4.19.3 Mitigation Measures

None required.

4.20 WILDFIRE

If located in or near state responsibility or lands classified as very high fire hazard severity zones, **Would the project:**	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

4.20.1 Environmental Setting

The Project site is relatively flat and located within a rural area. According to the Atwater General Plan, grass and brush lands are the most likely places for wildland fires in Merced County; however, the Project site is surrounded by irrigated farmland, rural residences, and the WWTP. Further, the Project site is not identified by the California Department of Forestry and Fire Protection (Cal Fire) as a Fire Hazard Severity Zone (FHSZ); rather, the site is within a Local Responsibility Area (LRA) and is considered an area of low fire risk. [39]

4.20.2 Impact Assessment

If located in or near state responsibility or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

[39] California Department of Forestry and Fire Protection. Fire Hazard Severity Zone Viewer. Accessed on June 5, 2025, https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/

Less than Significant Impact. The Project would not impair access to the existing roadway network. Construction of the pipeline under Alternatives 1 and 2 may require temporary lane closure of South Bert Crane Road and Alternative 3 may require lane closure on the Oak Avenue Alignment; however, access along these roads would be maintained through standard traffic control. After construction, the pipeline would be located underground and would not impair access to roadways. Therefore, the Project would not substantially impair any emergency response plan or emergency evacuation plan, and a less than significant impact would occur.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less than Significant Impact. The Project site is located on a relatively flat property with minimal slope and is not in an area that is subject to strong prevailing winds or other factors that would exacerbate wildfire risks. The area is highly disturbed and is not located within a wildland (i.e., wild, uncultivated, and uninhabited land), which precludes the risk of wildfire. Additionally, the Project would be routed along existing roads, public and private, to maximum extent feasible with minimal nearby flammable sources. The pipeline would be installed underground, and operation of the pipeline would not pose a risk of wildfire ignition. Construction activities could produce sparks that could ignite grass fires; however, construction equipment would include spark arrestors and guards as applicable. The proposed pump station would be designed and constructed in accordance with applicable Federal, state, and local standards and regulations related to protection against wildfire. Further, the Project site is within a LRA and is not identified by Cal Fire to be in a FHSZ. For these reasons, a less than significant impact would occur as a result of this Project.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact. The Project is located in a rural area with existing infrastructure, including roads and utilities, that are maintained accordingly. Additional electrical infrastructure would need to be constructed to provide power to the pump station. However, as previously discussed, all proposed project components would be located within the boundaries of the Project site and have been reviewed for compliance with applicable codes and regulations. Through compliance, such infrastructure would not exacerbate fire risk or result in temporary or ongoing impacts to the environment and no impact would occur.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. The Project site is not located in or near state responsibility or lands classified as fire hazard severity zones. The topography of the Project site is relatively flat with stable, native soils, and is not susceptible to landslides. Therefore, no impact would occur because of the Project.

4.20.3 Mitigation Measures

None required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

4.21.1 Impact Assessment

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

Potentially Significant Impact. As discussed above, the Project may have a substantial impact on the habitat of a fish or wildlife species identified in the Initial Study. As such, an EIR is being prepared that will focus on impact areas that have the potential to have significant impacts as identified in this Initial Study.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Potentially Significant Impact. CEQA Guidelines *Section 15064(i)* states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the Project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. As determined by the Initial Study, there may be potentially significant effects related to Biological Resources, Cultural Resources, Geology and Soils, and Hydrology and Watery Quality which will be addressed in the EIR.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact. Based on the analysis included in the Initial Study, the Project may have potentially significant impacts on Biological Resources, and as a result may have direct or indirect adverse effects on human beings. As such, an EIR is being prepared with further analysis on Biological Resources, Cultural Resources, Geology and Soils, and Hydrology and Watery Quality and any potential adverse effects on human beings.

4.21.2 Mitigation Measures

None required.

5 MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM FOR BERT CRANE WWTP DISCHARGE IMPROVEMENTS PROJECT

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC). The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a Project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Atwater is responsible for verifying that mitigation is performed/completed.

Mitigation Measures	Party Responsible for Implementing Mitigation	Timing of Verification	Responsible for Monitoring Verification	Verification of Completion	
				Date	Initials
Biological Resources					
Mitigation Measure BIO-1 (Pre-Construction Surveys for Nesting Birds, Special-Status Species, and Amphibians): Prior to any ground-disturbing activities (e.g., vegetation removal, grading, trenching, or equipment staging), the project applicant shall retain a qualified biologist to conduct pre-construction biological surveys within and adjacent (up to 100 feet, or as appropriate for the species) to all areas subject to disturbance. Surveys shall be conducted as follows: 1. Timing of Surveys: o Surveys shall be conducted no more than 14 days prior to the initiation of construction or vegetation removal. o If construction is delayed or suspended for more than 14 days following the survey, an updated survey shall be completed prior to re-initiating work. 2. Nesting Birds: o If construction occurs during the nesting bird season (generally February 1 through August 31), the qualified biologist shall	Project Applicant	Prior to construction	City of Atwater		

survey all suitable nesting habitat within and adjacent to work areas. o If active nests are found, the biologist shall establish species-appropriate exclusion buffers (typically 25 to 500 feet depending on species and activity level) around the nest. o Buffers shall remain in place until a qualified biologist confirms that the young have fledged and the nest is no longer active. 3. Special-Status Wildlife Species and Amphibians: o The biologist shall survey suitable habitat for special-status species and amphibians (e.g., western spadefoot, California tiger salamander, or other regionally occurring species) within the project area and adjacent habitats, including decommissioned discharge fields. o If individuals are detected within work areas, the biologist shall coordinate with the appropriate resource agencies (e.g., California Department of Fish and Wildlife [CDFW], U.S. Fish and Wildlife Service [USFWS]) to determine suitable avoidance, relocation, or exclusion measures prior to the start of construction. o Any relocation of individuals shall be conducted only under the appropriate state and/or federal permits. 4. Monitoring and Reporting: o The biologist shall prepare a survey report summarizing methods, results, and recommended protection measures, and submit it to the City of Atwater Public Works Department and CDFW prior to the start of construction. o Documentation of compliance (including survey dates, personnel qualifications, and any active nest or species observations) shall be included in the project's Mitigation Monitoring and Reporting Program (MMRP) record.					

Mitigation Measure BIO-2 (Permitting and Compensatory Mitigation for Jurisdictional Wetlands and Waters): If jurisdictional wetlands or other waters of the State or U.S. are present within the project's outfall or work areas, the project applicant shall obtain all necessary regulatory approvals prior to any ground-disturbing activity, including: • A Streambed Alteration Agreement (Fish and Game Code Section 1600 et seq.) from the California Department of Fish and Wildlife (CDFW); • A Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB); and, if applicable, • A Section 404 Permit from the U.S. Army Corps of Engineers (USACE). 1. Jurisdictional Delineation: A qualified wetland biologist shall delineate all potential jurisdictional features following the U.S. Army Corps of Engineers Wetlands Delineation Manual and applicable regional supplements. The delineation shall be verified by the relevant regulatory agencies prior to construction. 2. Avoidance and Minimization: To the extent feasible, project design and construction activities shall avoid jurisdictional waters and wetlands. If avoidance is not feasible, impacts shall be minimized through implementation of best management practices (BMPs) such as silt fencing, exclusion zones, and equipment setbacks. 3. Compensatory Mitigation and Restoration: For any unavoidable impacts, the applicant shall implement on-site restoration or off-site compensatory mitigation at a ratio approved by the permitting agencies (typically not less than 1:1 for acreage and functions lost). A Restoration and Monitoring Plan shall be prepared by a qualified restoration ecologist and approved by the relevant agencies prior to construction. 4. Reporting:	Project Applicant	Prior to construction	City of Atwater		

Copies of all permits, approvals, and mitigation monitoring reports shall be maintained by the City of Atwater Public Works Department for inclusion in the project record.					
Mitigation Measure BIO-3 (Creek Flow Management and Monitoring Plan): Prior to modification of discharge operations or implementation of new flow management practices, the project applicant shall prepare and implement a Creek Flow Management and Monitoring Plan (CFMMP) developed by a qualified hydrologist and aquatic biologist. 1. Plan Requirements: The CFMMP shall include, at minimum: • A description of existing baseline creek flow conditions and seasonal variations; • Identification of aquatic habitat and sensitive species potentially affected by discharge changes; • Flow targets or thresholds to maintain habitat suitability (e.g., minimum instream flow, temperature, dissolved oxygen, turbidity); • Monitoring protocols for flow, water quality, and habitat conditions; and • Adaptive management measures to address adverse trends or exceedances of water-quality objectives. 2. Implementation: The applicant shall implement all flow management and monitoring measures prior to discharge modification. Continuous or periodic monitoring (as specified in the Plan) shall be conducted by qualified personnel. If monitoring indicates that discharge operations are adversely affecting aquatic habitat or water quality, the applicant shall immediately implement corrective actions (e.g., adjust discharge timing, volume, or treatment). 3. Reporting: Monitoring results shall be summarized in annual reports prepared by the Public Works Department and RWQCB. Reports shall document flow measurements, water-quality data, and any adaptive management actions taken.	Project Applicant	Prior to construction	City of Atwater		

6 REPORT PREPARATION

Names of Persons Who Prepared or Participated in the Initial Study:

Lead Agency		
Lead Agency	City of Atwater 1350 Broadway Atwater, CA 95301 (209) 357-6201	Chris Hoem, City Manager
Initial Study Consultant		
Initial Study	Precision Civil Engineering 1234 O Street Fresno, CA 93721 (559) 449-4500	Bonique Emerson, AICP, VP of Planning Shin Tu, AICP, Senior Planner Isaiah Medina, Associate Planner

7 APPENDICES

7.1 Appendix A: CalEEMod Results

Prepared by Precision Civil Engineering, Inc., on June 9, 2025.

7.2 Appendix B: CNDDB Occurrence Report

Downloaded from the California Natural Diversity Database dated October 2, 2025.

7.3 Appendix C: CHRIS Search Record

Prepared by Central California Information Center dated May 9, 2025.

7.4 Appendix D: NAHC SLF Results Letter

Prepared by the Native American Heritage Commission dated May 12, 2025.